



**FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD**

APPELLANT: K.C. Jones
DOCKET NO.: 07-01246.001-R-1
PARCEL NO.: 18-18-201-009

The parties of record before the Property Tax Appeal Board are K.C. Jones, the appellant, by attorney Clyde B. Hendricks in Peoria, and the Peoria County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change in the assessment of the property as established by the Peoria County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$730
IMPR: \$7,120
TOTAL: \$7,850

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 60 year-old, one-story "cottage" style dwelling of frame exterior construction that contains 660 square feet of living area. The subject has features that include a full unfinished basement and a 280 square foot garage.

The appellant appeared before the Property Tax Appeal Board with his attorney claiming overvaluation as the basis of the appeal. At the commencement of the hearing, the appellant agreed there was no argument being made with regard to alleged inequity of the subject's assessment, but that the appeal was based on comparable sales. In support of the overvaluation argument, the appellant submitted multiple listing sheets and a grid analysis of three comparable sales, one of which is located in the same assessor's assigned neighborhood code as the subject. The comparables consist of one-story cottage or bungalow style dwellings of concrete block, frame or composition exterior construction that were built between 1910 and 1949 and range in size from 546 to 884 square feet of living area. Each of the comparables has a

garage, one has central air conditioning, and one has a partial unfinished basement. Two comparables have no basements. These properties were reported to have sold in October or December 2006 for prices ranging from \$4,000 to \$6,000 or from \$4.87 to \$9.15 per square foot of living area including land. Based on this evidence, the appellant requested the subject's assessment be reduced to \$5,300.

During the hearing, the appellant testified he purchased the subject in 2003 for \$17,000 as a rental property, that the subject's neighborhood is declining because of high crime rates and that most neighboring properties are also rentals. He opined that owner-occupied dwellings were more valuable than rentals. He also testified the board of review's comparables were not rental properties.

The board of review submitted its Board of Review Notes on Appeal wherein the subject's total assessment of \$7,850 was disclosed. The subject has an estimated market value of \$23,630 or \$35.80 per square foot of living area including land, as reflected by its assessment and Peoria County's 2007 three-year median level of assessments of 33.22%.

In support of the subject's estimated market value, the board of review submitted property record cards and a grid analysis of three comparable properties located in the same assessor's assigned neighborhood code as the subject. The comparables consist of one-story cottage style dwellings of frame exterior construction that were built in 1930 or 1940 and range in size from 672 to 766 square feet of living area. Features of the comparables include central air conditioning, full unfinished basements and garages that contain from 240 to 400 square feet of building area. These properties sold between August 2005 and May 2006 for prices ranging from \$21,000 to \$29,500 or from \$30.03 to \$41.90 per square foot of living area including land. Based on this evidence, the board of review requested the subject's assessment be confirmed.

In written rebuttal, the appellant argued it is inappropriate to compare rental properties to owner-occupied homes.

After hearing the testimony and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Property Tax Appeal Board further finds no reduction in the subject property's assessment is warranted.

The appellant contends overvaluation as the basis of the appeal. When market value is the basis of the appeal, the value must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3rd Dist. 2002). After analyzing the market evidence submitted, the Board finds the appellant has failed to overcome this burden.

The Board finds the parties submitted six comparables for its consideration. The Board gave less weight to the appellant's comparables because they differed in exterior construction, foundation, age, and/or living area when compared to the subject. The comparables submitted by the board of review were similar to the subject in design, exterior construction, foundation, size, location and some features. These properties were given most weight in the Board's analysis. They sold for prices ranging from \$30.03 to \$41.90 square foot of living area including land. The subject's estimated market value as reflected by its assessment of \$35.80 per square foot of living area including land falls within this range. After considering adjustments and differences in both parties' comparables when compared to the subject, the Board finds the evidence in the record supports the subject's assessment.

In conclusion, the Property Tax Appeal Board finds the appellant has failed to prove overvaluation by a preponderance of the evidence and the subject's assessment as determined by the board of review is correct and no reduction is warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.

Ronald R. Cuit

Chairman

Frank J. Huff

Member

Member

Mario M. Louie

Shawn R. Lerski

Member

Member

DISSENTING:

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: May 21, 2010

Allen Castrovillari

Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing

complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.