



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

APPELLANT: Kent Jones
DOCKET NO.: 07-01255.001-R-1
PARCEL NO.: 14-35-301-015

The parties of record before the Property Tax Appeal Board are Kent 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: \$1,500
IMPR.: \$7,790
TOTAL: \$9,290

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of an 87 year-old, two-story style frame dwelling that contains 1,224 square feet of living area. Features of the home include a partial unfinished basement.

Through his attorney, the appellant appeared before the Property Tax Appeal Board contending overvaluation as the basis of the appeal. In support of this argument, the appellant submitted multiple listing sheets and a grid analysis of three comparable sales. The comparables consist of two-story or one and one-half-story frame dwellings that were built in 1900 or 1920 and range in size from 1,294 to 2,409 square feet of living area. Features of the comparables include unfinished basements that contain from 127 to 850 square feet. Two comparables have either a one-car or two-car garage. The appellant reported the comparables have quality grades ranging from C-1 to D+5. These properties sold between October 2006 and May 2007 for prices ranging from \$8,500 to \$12,000 or from \$3.52 to \$6.95 per square foot of living area including land. Based on this evidence, the appellant requested the subject's assessment be reduced to \$6,600.

The appellant's first witness was William Leroy, who prepared the data presented in the grid analysis. Leroy testified that he is a full-time realtor with 25 years experience; during that time he has occasionally done "tax protesting" with the greatest workload in the quadrennial reassessment years. From time to time, Leroy performs this "tax protesting" work with Robert O. Kaiser. Leroy is not a licensed appraiser and does not have any appraisal designations. Based on his professional experience, Leroy contended that investment properties are generally harder to sell because they are in poorer areas, are generally not well maintained, and there is a limited pool of buyers who may be purchasing with cash.

The second witness called by the appellant was Robert O. Kaiser who assisted Leroy in gathering the comparable data. Kaiser is not an appraiser and has no appraisal designations; he was a real estate agent until March 31, 2008, but his primary profession is as a certified public accountant. Kaiser has bought and sold hundreds of houses in the local Peoria real estate market over the past 25 years through various companies he has owned.

The board of review submitted its Board of Review Notes on Appeal wherein the subject's total assessment of \$9,290 was disclosed. The subject has an estimated market value of \$27,965 or \$22.85 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 assessment, the board of review submitted property record cards and a grid analysis of three comparable properties. The comparables consist of one and one-half-story or two-story style frame dwellings that were built in 1900 and range in size from 1,296 to 1,580 square feet of living area. Features of the comparables include unfinished basements that contain from 345 to 840 square feet. One comparable has central air conditioning and two have garages that contain 384 or 400 square feet of building area. The comparables were reported to be in fair condition and had quality grades of C-5 or D+5. These properties sold between March and August 2005 for prices ranging from \$22,500 to \$38,000 or from \$17.36 to \$24.05 per square foot of living area including land. Based on this evidence, the board of review requested the subject's assessment be confirmed.

In rebuttal, the appellant argued the board of review's comparables 1 and 2 have garages while the subject has no garage. The appellant also claimed the board of review's comparables had other updates or improvement not enjoyed by the subject.

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 comparable sales for its consideration. The Board gave less weight to the appellant's comparables 1 and 3 because they were significantly larger in living area when compared to the subject. The Board finds the appellant's comparable 2 and the board of review's comparables were similar to the subject in age, exterior construction, size and most features and sold for prices ranging from \$6.95 to \$24.05 per square foot of living area including land. The subject's estimated market value of \$22.85 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. Grief

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.