



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

APPELLANT: Kelli Kaestler
DOCKET NO.: 07-01273.001-R-1
PARCEL NO.: 18-08-180-005

The parties of record before the Property Tax Appeal Board are Kelli Kaestler, 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 a reduction 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: \$870
IMPR: \$6,438
TOTAL: \$7,308**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story dwelling of frame construction containing 1,562 square feet of living area including a finished attic area. The dwelling was built in 1943. It has a basement and a fireplace.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of the claim the appellant submitted information on the sale of the subject in July 2005 for \$15,000. The information supplied by the appellant indicates the sale was not between family or related corporations, and the property was offered for sale through the local newspaper prior to purchase from Peoria County. The appellant also indicated renovations that cost \$7,000 were made before the subject was occupied in June 2006. Also in support of the claim the appellant submitted information on three comparable properties. They are located in an area with the same neighborhood code as the subject. The appellant's comparables consist of one and one-half story or two-story frame dwellings. They were built from 1885 to 1930. They contain 1,314 to 1,795 square feet of living area. All have basements and garages, and one has a fireplace. The comparables sold from December 2006 to March 2007 for \$6,200 to \$12,000 or \$4.12 to \$6.84 per square foot of living area including land. Based on

this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's assessment of \$9,940 was disclosed. The subject's assessment reflects an estimated market value of \$29,922 or \$19.16 per square foot of living area including land using Peoria County's 2007 three-year median level of assessments of 33.22%.

In support of the subject's assessment the board of review presented descriptions and sale price information on three comparable properties. They are located in an area with the same neighborhood code as the subject. They are one-story frame dwellings with finished attic areas with a total of 1,116 to 1,569 square feet of living area. Each has a basement, two have central air conditioning, and two have garages. They sold from August 2006 to July 2007 for \$24,500 or \$40,000 or \$17.21 to \$35.84 per square foot of living area including land. The board of review did not address whether or not the sale of the subject was an arm's-length transaction. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After reviewing the record 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 Board further finds a reduction in the subject's assessment is warranted.

The appellant argued the subject is overvalued. When market value is the basis of the appeal, the value must be proved by a preponderance of the evidence. Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill. App. 3d 179, 183, 728 N.E.2d 1256 (2nd Dist. 2000). After an analysis of the evidence, the Board finds the burden has been met.

The appellant provided evidence of a sale of the subject to demonstrate that it is overvalued. The appellant's evidence indicates the subject was exposed to the open market in the newspaper before the sale for \$15,000 in July 2005. The board of review did not provide any evidence to refute the arm's-length nature of the sale. The appellant also indicated renovations that cost \$7,000 were made prior to occupancy in June 2006. The appellant's comparable #1 and the board of review's comparable #2 are much older than the subject, the appellant's comparable #2 is of a two-story design, and the board of review's comparable #1 is much smaller than the subject. The remaining two comparables are similar to the subject in design with main living areas on the first floor and smaller finished areas on the upper level. They also are similar in size. However, the board of review's comparable #3 has central air conditioning not enjoyed by the subject. The appellant's comparable #3 is most similar to the subject overall. It had a selling price of \$12,000 or \$6.68 per square foot of living area including land. The estimated market value of the subject based on its assessment is \$29,922 or \$19.16

per square foot of living area including land, which is much higher than the most similar comparable. The Board finds the best evidence of the market value of the subject is its selling price of \$15,000 plus the \$7,000 in renovation that occurred prior to occupancy in June 2006. Having determined the subject's market value of \$22,000, the 2007 three-year-median level of assessment in Peoria county shall be applied for a total assessed value of \$7,308. After considering the evidence the Board finds the appellant has proven by a preponderance of the evidence that the subject is overvalued and a 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

K. L. Fern

Member

Frank A. Huff

Member

Mario Morris

Member

Shawn R. Lerbis

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: December 3, 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.