



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

APPELLANT: Stanley Schupp
DOCKET NO.: 07-01352.001-R-1
PARCEL NO.: 18-07-433-029

The parties of record before the Property Tax Appeal Board are Stanley Schupp, 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: \$1,610
IMPR: \$6,520
TOTAL: \$8,130**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story dwelling of frame construction containing 800 square feet of living area. The dwelling was built in 1920. Features include a basement and a garage.

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 March 2006 for \$18,500. The appellant indicated on the appeal form that the subject was not advertised for sale. 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 \$8,130 was disclosed. The subject's assessment reflects an estimated market value of \$24,473 or \$30.59 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 consist of one-story frame dwellings

that were built from 1928 to 1955. The dwellings have 720 or 816 square feet of living area. Two have basements and garages. The board of review's comparables sold from July 2006 to December 2007 for \$23,175 to \$32,000 or for \$32.19 to \$39.22 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

The appellant filed rebuttal evidence that includes multiple listing sheets for the board of review's sales and highlighted differences between the comparables and the subject. The appellant also argued it is unfair to compare the sales of owner-occupied homes with rental properties.

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 not 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 not been met.

The appellant provided evidence of a recent sale of the subject to demonstrate that it is overvalued. The appellant's evidence indicates the subject was not advertised for sale and thus it was not exposed to the open market. The board finds the sale of the subject was not an arm's-length transaction indicative of the market value of the subject. The board of review provided evidence of the sale of three comparable properties. The board of review's comparables were similar to the subject in size and design, but two had basements and garages not enjoyed by the subject. They had sale prices from \$23,175 to \$32,000 or \$32.19 to \$39.22 per square foot of living area including land. The subject's estimated market value of \$24,473 or \$30.59 per square foot of living area including land is lower than the per-square-foot selling prices of the comparables and is much lower than the \$39.22 per square foot selling price of the board of review's comparable #3, which is most similar to the subject overall. After considering the evidence the Board finds the appellant has not proven by a preponderance of the evidence that the subject is overvalued and a reduction is not 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.