



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

APPELLANT: K.C. & Linda Jones
DOCKET NO.: 07-01356.001-R-1
PARCEL NO.: 18-03-181-004

The parties of record before the Property Tax Appeal Board are K.C. & Linda Jones, the appellants, 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: \$1,030
IMPR: \$2,292
TOTAL: \$3,322

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of an 81 year-old, one-story, cottage style frame dwelling that contains 792 square feet of living area. The home features a full unfinished basement and a 198 square foot garage.

Through their attorney, the appellants submitted evidence to the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellants submitted the multiple listing sheet documenting the subject's sale in April 2006 for \$10,000. The appellants' evidence indicated the subject was sold through a realtor after 333 days on the market. The appellants also indicated \$7,000 was spent on renovations prior to the subject's occupancy in May 2007. Based on this evidence, the appellant requested the subject's assessment be reduced to \$3,340, reflecting a market value of approximately \$10,020.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$8,530 was

disclosed. The subject has an estimated market value of \$25,677 or \$32.42 per square foot of living area including land as reflected by its assessment and the 2007 Peoria County 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-story, bungalow or cottage style frame dwellings that were built between 1920 and 1933 and range in size from 748 to 988 square feet of living area. All the comparables have full basements, one of which has 400 square feet of finished area and two have garages that contain 264 and 280 square feet of building area, respectively. The comparables sold between February 2006 and June 2007 for prices ranging from \$30,000 and \$37,500 or from \$36.45 to \$44.12 per square foot of living area including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellants argued the board of review's comparable 1 was not located near the subject, comparable 2 did not sell through the multiple listing service and comparable 3 has features not enjoyed by the subject. The appellants also argued it was unfair to compare owner-occupied dwellings 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 property's assessment is warranted.

The appellants contend the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property 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). The Board finds the appellants met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the appellants submitted evidence of the subject's sale in April 2006 for \$10,000, while the board of review submitted three comparable sales. The Board finds the multiple listing sheet that details the subject's sale indicated the subject was listed for sale for 333 days through a realtor and that the sale was not between related parties. The Board finds the board of review's comparables were similar to the subject in most respects and sold for prices ranging from \$36.45 to \$44.12 per square foot of living area including land. Notwithstanding the similarity of the board of review's comparables, the Property Tax Appeal Board finds the best evidence of the subject's market value as of the January 1, 2007 assessment date at issue in this appeal is the subject's April 2006 sale for \$10,000. Since market value has been established

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the 2007 Peoria County three-year median level of assessments of 33.22% shall apply.

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 M. Louie

Member

Shawn R. Lerski

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 23, 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.