



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

APPELLANT: Roger K. Heim
DOCKET NO.: 07-01390.001-R-1
PARCEL NO.: 18-18-432-027

The parties of record before the Property Tax Appeal Board are Roger K. Heim, 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: \$620
IMPR: \$4,363
TOTAL: \$4,983

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 77 year-old, one-story, bungalow style frame dwelling that contains 1,020 square feet of living area. The home has a partial unfinished basement.

Through his attorney, the appellant submitted evidence to the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted a settlement statement and a multiple listing sheet that detail the subject's sale in September 2006 for \$15,000. The appellant asserted the subject was advertised through a realtor, was on the market for seven days and was not a transfer between related parties. The appellant also indicated the subject's sale was part of a package sale of multiple properties. Based on this evidence, the appellant requested the subject's assessment be reduced to \$5,000, reflecting a market value of approximately \$15,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$5,460 was

disclosed. The subject has an estimated market value of \$16,436 or \$16.11 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, one of which is located in the same assessor's assigned neighborhood code as the subject. The comparables consist of one-story, bungalow or Cape Cod style frame or brick dwellings that were built between 1920 and 1935 and range in size from 771 to 1,099 square feet of living area. Features of the comparables include garages that contain from 252 to 860 square feet of building area and full basements, one of which has 240 square feet of finished area. Two comparables have central air conditioning. The comparables sold between July 2006 and April 2007 for prices ranging from \$23,750 to \$39,000 or from \$21.61 to \$50.58 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 appellant argued the board of review's comparables had amenities not enjoyed by the subject and comparable 2 did not sell through the Multiple Listing Service. The appellant 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 appellant contends 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 appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the appellant submitted evidence detailing the subject's sale in September 2006 for \$15,000. The evidence disclosed the subject was advertised through a realtor and the multiple listing service for seven days and was not a transfer between relatives. The board of review submitted three comparable sales, two of which were generally similar to the subject in most respects. The Property Tax Appeal Board finds the best evidence of the subject's market value was its September 2006 sale for \$15,000, which appears to have the elements of an arm's-length transaction. Therefore, the Board finds the subject's market value as of the January 1, 2007 assessment date under appeal in \$15,000. Since market value has been

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established, 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 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 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.