



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

APPELLANT: Brian Monge
DOCKET NO.: 07-01671.001-R-1
PARCEL NO.: 14-30-330-012

The parties of record before the Property Tax Appeal Board are Brian Monge, 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: \$1,150
IMPR: \$8,484
TOTAL: \$9,634

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 37 year-old, one-story frame condominium that contains 780 square feet of living area. The subject has features that include central air conditioning.

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 the Real Estate Transfer Declaration that documents the subject's sale in December 2005 for \$29,000. The appellant's evidence disclosed that the sale was not a transfer between related parties and further, that the subject was advertised by a realtor through the Multiple Listing Service for 102 days prior to its sale. Based on this evidence, the appellant requested the subject's assessment be reduced to \$9,670, reflecting a market value of approximately \$29,010.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$12,180 was disclosed. In support of the subject's assessment the board of

review submitted property record cards and a grid analysis of three comparable properties, two of which are located in the same assessor's assigned neighborhood code as the subject. The comparables consist of one-story frame or brick condominiums that were built in 1970 or 1978 and contain 757 or 780 square feet of living area. Each of the comparables has central air conditioning and one has a 242 square foot garage. The comparables sold in November or December 2006 for prices ranging from \$36,000 to \$51,000 or from \$46.15 to \$67.37 per square foot of living area including land. 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 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 a Real Estate Transfer Declaration documenting the subject's sale in December 2005 for \$29,000. The evidence disclosed that the subject was not a transfer between related parties, but was advertised through the Multiple Listing Service for 102 days prior to its sale. The board of review submitted three comparable sales that were generally similar to the subject in design, age, size and features and sold for prices ranging from \$46.15 to \$67.37 per square foot of living area including land. Notwithstanding the similarities of the board of review's comparables to the subject, 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 its December 2005 sale for \$29,000, which appears to have the elements of an arm's-length transaction. Therefore the subject's market value is \$29,000. Since market value has been 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.