



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

APPELLANT: Magna Trust Co.
DOCKET NO.: 07-01736.001-R-1
PARCEL NO.: 18-05-228-006

The parties of record before the Property Tax Appeal Board are Magna Trust Co., 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: \$2,010
IMPR.: \$8,470
TOTAL: \$10,480

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 1.5-story frame dwelling that was built in 1920 and contains 1,260 square feet of living area. Features of the home include a full unfinished basement.

Through its 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 multiple listing sheets 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 were described as 1.0-story or 1.5-story frame or brick and frame dwellings that were built between 1895 and 1958 and range in size from 960 and 1,326 square feet of living area. Features of the comparables include full or partial basements, one of which has 797 square feet of finished area. One comparable has central air conditioning and a gas log fireplace and one has a two-car garage. The comparables sold between June and August 2007 for prices ranging from \$14,000 to \$23,500 or from \$11.11 to \$24.47 per square foot of living area including land. Based on this

evidence the appellant requested the subject's assessment be reduced to \$7,600, reflecting a market value of approximately \$22,800 or \$18.10 per square foot of living area including land.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$10,480 was disclosed. The subject has an estimated market value of \$31,547 or \$25.04 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, two of which are located in the same assessor's assigned neighborhood code as the subject. The comparables consist of one-story frame dwellings that were built in 1920 or 1924 and range in size from 912 to 1,336 square feet of living area. Features of the comparables include full or partial unfinished basements and garages that contain 216 to 360 square feet of building area. One comparable has a fireplace and two have finished attics, according to these properties' property record cards. The comparables sold from July to October 2007 for prices ranging from \$35,000 to \$44,000 or from \$27.32 to \$48.25 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 comparable 1 and 2 had amenities not enjoyed by the subject and comparable 3 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 Property Tax Appeal Board further finds no reduction in the subject property's assessment is warranted.

The appellant contends overvaluation as the basis of the appeal. When market value is the basis of the appeal, the value 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). After analyzing the market evidence submitted, the Board finds the appellant has failed to meet this burden.

The Board finds the parties submitted a total of six comparables in support of their respective arguments. The Board gave less weight to the appellant's comparables 2 and 3 and the board of review's comparable 3 because they were significantly smaller in living area when compared to the subject and differed from it in age and/or design. The Board finds the appellant's comparable 1 and the board of review's comparables 1 and 2 were similar to the subject in age, exterior construction and most features. While

the board of review's comparables were described as one-story homes on the board of review's grid, their property record cards indicated they had finished attics, which make them functionally similar to 1.5-story dwellings like the subject. These most representative properties sold for prices ranging from \$11.11 to \$33.08 per square foot of living area including land. The subject's estimated market value as reflected by its assessment of \$25.04 per square foot of living area including land falls within this range. Therefore, the Board finds the evidence in this record supports the subject's assessment.

In conclusion, the Board finds the appellant has failed to prove overvaluation by a preponderance of the evidence. For this reason, the Board finds the subject's assessment as determined by the board of review is correct and no 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 M. Louie

Member

Shawn P. 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.