



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

APPELLANT: Terrance Johnson
DOCKET NO.: 07-01907.001-R-1
PARCEL NO.: 18-03-180-002

The parties of record before the Property Tax Appeal Board are Terrance Johnson, 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: \$1,480
IMPR.: \$6,310
TOTAL: \$7,790

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 77 year-old, one-story style frame duplex dwelling that contains 1,084 square feet of living area. Features of the home include a 216 square foot garage.

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. The comparables consist of two, 1.5-story frame dwellings and one, cottage style frame dwelling that were built between 1900 and 1930 and range in size from 1,020 to 1,120 square feet of living area. Features of the comparables include partial unfinished basements. Two comparables have central air conditioning and one has a one-car garage. These properties sold between January 2006 and April 2007 for prices ranging from \$15,000 to \$18,500 or from \$14.71 to \$17.26 per square foot of living area including land. Based on this evidence, the appellant requested the subject's

assessment be reduced to \$5,670, reflecting a market value of approximately \$17,010.

The board of review submitted its Board of Review Notes on Appeal wherein the subject's total assessment of \$7,790 was disclosed. The subject has an estimated market value of \$23,450 or \$21.63 per square foot of living area including land, as reflected by its assessment and Peoria County's 2007 three-year median level of assessments of 33.22%.

In support of the subject's estimated market value as reflected by its 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, bungalow or cottage style frame dwellings that were built between 1928 and 1933 and range in size from 840 to 1,185 square feet of living area. Features of the comparables include full or partial basements, two of which contain finished areas of 836 and 988 square feet, respectively. One comparable has central air conditioning and one has a 360 square foot garage. These properties sold between January and August 2007 for prices ranging from \$30,000 to \$35,000 or from \$29.01 to \$41.55 per square foot of living area including land. Based on this evidence, the board of review requested the subject's assessment be confirmed.

In rebuttal, the appellant argued the board of review's comparables have features not enjoyed by the subject. He also argued the board of review's comparable 2 also sold in April 2007 for \$8,605 and that this earlier sale was closer to the subject's assessment date and occurred prior to remodeling or improvements that occurred before the August 2007 sale.

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 six comparables for its consideration. The Board gave less weight to the appellant's comparables 1 and 2 because their 1.5-story design differed from the subject. The Board also gave less weight to the board of review's comparable 2 because, in addition to its sale in August 2007 for \$34,900, it also sold in April 2007 for \$8,605, as asserted by the appellant in his rebuttal. The Board finds the

April sale is closer to the subject's January 1, 2007 assessment date and also, that it appears significant remodeling had occurred between the sales, given the substantial difference in selling price over the intervening four months. The April sale price of \$8,605 does not support the subject's assessment. The Board finds the appellant's comparable 3 and the board of review's comparables 1 and 3 were similar to the subject in design, age and some features and sold for prices ranging from \$15.40 to \$29.54 per square foot of living area including land. The subject's estimated market value as reflected by its assessment of \$21.63 per square foot of living area including land falls within this range. While the board of review's comparables 1 and 3 had basements and some features not enjoyed by the subject, these properties' higher selling prices appear to reflect their superior amenities. After considering adjustments and differences in both parties' comparables when compared to the subject, the Board finds the evidence in the record supports the subject's assessment 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 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: June 18, 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.