



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

APPELLANT: Dennis Johnson
DOCKET NO.: 07-02177.001-R-1
PARCEL NO.: 16-2-03-36-01-109-009

The parties of record before the Property Tax Appeal Board are Dennis Johnson, the appellant; and the Madison 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 **Madison** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$ 3,910
IMPR.: \$ 50,020
TOTAL: \$ 53,930

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a one-story frame dwelling with 1,352 square feet of living area. The dwelling was constructed in 2004. Features include a full basement, a fireplace and a two-car attached garage. The subject property is located in Edwardsville, Moro Township, Madison County.

The appellant claims overvaluation as the basis of the appeal. In support of this argument the appellant indicated the home was custom built and purchased from the contractor for a price of \$169,754.44. The appellant submitted a copy of a closing statement dated October 29, 2004, disclosing the purchase price of \$169,756.44. The evidence further revealed that the appellant filed the appeal directly to the Property Tax Appeal Board following receipt of the notice of an equalization factor increasing the assessment from \$50,860 to \$53,930, which reflects a market value of \$161,790. Based on this evidence the appellant requested the subject's assessment be reduced to \$50,860.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$53,930 was disclosed. The board of review argued the equalized assessment reflects a market value of \$161,790 which is less than the purchase price. 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 the appeal. The Board further finds the evidence in the record does not support a reduction in the assessment of the subject property.

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 evidence in the record demonstrates the subject's assessment is not excessive in relation to its market value.

The Board finds the best evidence of market value in the record is the October 2004 purchase of the subject property for a price of \$169,756.44. The subject's equalized assessment of \$53,930 reflects a market value of \$161,790, which is less than the purchase price. The Board finds this evidence does not support a reduction in the subject's assessment and the assessment of the subject property as established by the board of review is confirmed.

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

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: November 25, 2009

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.