



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

APPELLANT: Raymond & Marianne Mercer  
DOCKET NO.: 07-02387.001-R-1  
PARCEL NO.: 24-2-01-33-04-404-012

The parties of record before the Property Tax Appeal Board are Raymond and Marianne Mercer, the appellants; 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:** \$ 10,570  
**IMPR.:** \$ 85,000  
**TOTAL:** \$ 95,570

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a two-story single family dwelling of frame and brick construction containing 3,062 square feet of living area. The home was built in 1999. Features of the home include a full basement partially finished, a fireplace, central air conditioning and a three-car attached garage. The property is located in Godfrey, Godfrey Township, Madison County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants indicated they purchased the subject property in November 2004 for a price of \$300,000. On the petition the appellants indicated the parties to the transaction were not related and the subject property was exposed on the open market.

The appellants also submitted information on one comparable sale and seven listings composed of one and two-story dwellings. Seven of the comparables were listed for prices ranging from \$235,000 to \$279,900. The appellants indicated comparable one

actually sold in July 2006 for a price of \$290,000. The appellants contend these sales indicate that the value of real estate in their area was decreasing; therefore, the appellants requested a decrease in assessed value on their property.

The evidence further revealed that the appellants filed the appeal directly to the Property Tax Appeal Board following receipt of the notice of a township equalization factor issued by the board of review increasing the assessment of the subject property from \$90,670 to \$95,570, which reflects a market value of \$286,710 or \$93.63 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$95,570 was disclosed. The board of review argued the subject's assessment reflects a market value below the purchase price and no reduction was justified.

In further support of the assessment the board of review submitted a copy of the subject's property record card and copies of photographs of the subject property. The property record card indicated the subject had 3,062 square feet of above grade living area. The board of review also submitted two comparable sales improved with two story dwellings, located in the subject's subdivision, which it stated were also referenced by the appellant. Board of review comparable 2 was located across the street from the subject and was a paired sale, selling in June 2004 for a price of \$265,000 and selling again in July 2006 for a price of \$290,000 or for \$111.03 per square foot of living area. Comparable 1 sold in September 2008 for a price of \$235,000 or \$138.89 per square foot of living area.

The board of review also asserted the other listings provided by the appellants were of properties located in other communities several miles from the subject.

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 appellants contend 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 (3<sup>rd</sup> 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 November 2004 purchase of the subject property for a price of \$300,000. The subject's equalized assessment of \$95,570

reflects a market value of \$286,710, 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.

The appellants asserted that values in the area had decreased; however, the only paired sale in the record of a home located in the subject's subdivision indicated that its price increased from June 2004 to July 2006. Therefore, the Board gives this aspect of the appellants' argument no weight.

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.