



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

APPELLANT: Paul & Carolyn James
DOCKET NO.: 07-03568.001-R-1
PARCEL NO.: 24-2-01-34-01-105-008

The parties of record before the Property Tax Appeal Board are Paul and Carolyn James, 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: \$ 8,510
IMPR.: \$ 39,110
TOTAL: \$ 47,620

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a one-story dwelling of brick construction that contains 1,527 square feet of living area. The home was built in 1965. Features of the home include a walk-out basement, central air conditioning and a two-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 submitted information, which included the multiple listing sheets, on four comparables. The comparables were improved with one-story dwellings of brick or brick combination construction that ranged in size from 1,348 to 1,774 square feet of living area. The dwellings ranged in age from 46 to 50 years old. Three comparables had basements while one had a slab foundation, each comparable has central air conditioning, two comparables had fireplaces and each comparable had a one or two-car attached garage. The comparables sold from August 2005 to August 2008 for prices ranging from \$83,900 to \$135,000 or from \$57.78 to \$98.29 per square foot of living area.

The multiple listing sheet for comparables 3, the property that sold at the low end of the range, indicated it was sold "AS IS" and needs some "TLC" (tender loving care). The evidence also indicated the subject property sold in October 2004 for a price of \$137,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$47,620 was disclosed. The subject's assessment reflects a market value of approximately \$142,860 or \$93.56 per square foot of living area. To demonstrate the subject's assessment is reflective of market value, the board of review submitted information on four comparable sales, with comparables 1 and 2 being the same as the appellants' first two comparables. The four comparables were improved with one-story dwellings of brick construction that ranged in size from 1,348 to 1,440 square feet of living area. The dwellings were built from 1958 to 1966. Each comparable had a full basement and central air conditioning. Three comparables had one or two-car garages and one comparable had a carport. These properties sold from September 2005 to June 2007 for prices ranging from \$132,500 to \$152,500 or from \$95.74 to \$111.15 per square foot of living area. 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 supports the assessment of the subject property.

The appellants contend overvaluation as the basis of the appeal. 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 board of review met this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the best comparables in the record were those submitted by the board of review, which also included the appellants' comparables 1 and 2. These four properties were similar to the subject in age, size, construction and features. These properties sold from September 2005 to June 2007 for prices ranging from \$132,500 to \$152,500 or from \$95.74 to \$111.15 per square foot of living area. The subject's assessment of \$47,620 reflects a market value of approximately \$142,860 or \$93.56 per square foot of living area, which is within the range established by the best comparables in the record. The Board finds this evidence indicates the subject's assessment is reflective of the property's market value.

Little weight was given to appellants' comparable 3 due to its condition at the time of sale and appellants' comparable 4 due to its slab foundation. The Board also gave little weight to the subject's sale in October 2004 because it occurred more than two years prior to the assessment date at issue, making the purchase price less indicative of market value as of January 1, 2007.

For these reasons the Board finds the assessment of the subject property as established by the board of review is correct and a reduction is not 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

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.