



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

APPELLANT: Donald F Pearson
DOCKET NO.: 07-03900.001-R-1
PARCEL NO.: 16-2-03-22-02-201-035

The parties of record before the Property Tax Appeal Board are Donald F Pearson, 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: \$6,940
IMPR: \$57,520
TOTAL: \$64,460**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a one-story brick and frame dwelling containing 1,688 square feet of living area that was built in 1996. Features include a full, partially finished basement, central air conditioning, one fireplace, and a 648 square foot attached garage.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of the overvaluation argument, the appellant submitted photographs and a grid analysis of three suggested comparable sales located from ¼ of a mile to 10 miles from the subject. The comparables consist of one-story or two-story frame or brick dwellings that were built from 1970 to 1992. One comparable has a partial finished basement and two comparables do not have basements. Other features include central air conditioning, one fireplace and garages that range in size from 680 to 800 square feet. The dwellings range in size from 1,344 to 2,416 square feet of living area. The appellant indicated the comparables are located on waterfront lots. They sold from March and July of 2007 for prices ranging from \$175,000 to \$181,000 or from \$72.43

to \$132.07 per square foot of living area including land. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's assessment of \$64,460 was disclosed. The subject's assessment reflects an estimated market value of \$193,574 or \$115.68 per square foot of living area including land using Madison County's 2007 three-year median level of assessments of 33.30%.

In support of the subject's assessed valuation, the board of review submitted property record cards and a market analysis detailing three comparable sales. Comparable 1 was also utilized by the appellant and is located within the subject's subdivision. The proximate location of comparables 2 and 3 was not disclosed. The comparables consist of one-story frame or brick dwellings that were built from 1970 to 1988. The comparables have partial finished basements. The comparables contain central air conditioning and garages that range in size from 440 to 676 square feet. Comparables 1 and 3 have a fireplace. The dwellings range in size from 1,008 to 1,344 square feet of living area. They sold from November 2006 to October 2007 for prices ranging from \$165,000 to \$177,500 or from \$132.07 to \$173.61 per square foot of living area including land. Based on this evidence, the board of review requested confirmation of the subject's assessed valuation.

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 Board further finds no reduction in the subject's assessment is warranted.

The appellant argued the subject property is overvalued. When market value is the basis of the appeal, the value must be proved by a preponderance of the evidence. Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill. App. 3d 179, 183, 728 N.E.2d 1256 (2nd Dist. 2000). After an analysis of the evidence, the Board finds the appellant has not overcome this burden.

The parties submitted five suggested comparable sales to support their respective positions regarding the subject's correct assessment. One comparable was common to both parties. The Property Tax Appeal Board gave less weight to comparables 1 and 2 submitted by appellant. These properties do not have basements, unlike the subject's full, partially finished basement. In addition, comparable 2 is a two-story style dwelling unlike the subject. The Property Tax Appeal Board finds the remaining three comparables are more similar when compared to the subject in design and features. Of these comparables, the Board finds one comparable is older than the subject while two comparables are smaller than the subject. They sold from November 2006 to October 2007 for prices ranging from \$165,000 to \$177,500 or from \$132.07 to \$173.61 per re foot of living area including land.

The subject property is superior to the most similar comparables in age, size and features and an assessment that reflects an estimated market value of \$193,574 or \$115.68 per square foot of living area including land, less than the comparables on a per square foot basis. After considering any necessary adjustments to the most similar comparables for differences when compared to the subject, the Property Tax Appeal Board finds the subject's assessed valuation is supported and no reduction is warranted.

Based on this analysis, the Property Tax Appeal Board finds the appellant has not demonstrated the subject property is overvalued by a preponderance of the evidence. Therefore, the Board finds the subject's assessment as established 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. Guit

Chairman

Member

Mario M. Louie

Member

Member

William 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: September 24, 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.