



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

APPELLANT: Heritage Enterprises
DOCKET NO.: 07-04041.001-C-1
PARCEL NO.: 03-17-100-003

The parties of record before the Property Tax Appeal Board are Heritage Enterprises, the appellant, by attorney Robert W. McQuellon III in Peoria, and the Bureau County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the Bureau County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$19,321
IMPR.: \$394,012
TOTAL: \$413,333

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a one-story, 62-bed nursing home of brick exterior construction that was built in 1990. The subject is located in Walnut, Walnut Township, Bureau County.

Through its attorney, 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 a grid analysis of three comparable properties. The comparables were described as one-story, brick-constructed nursing homes that contain from 51 to 130 beds. One comparable was built in 1972, while no ages were supplied for the other two comparables. The comparables were reported to have sold between January 2003 and February 2006 for prices ranging from \$1,020,000 to \$2,432,500 or from \$16,008 to \$20,000 per bed. Based on this evidence the appellant requested the subject's total assessment be reduced to \$395,000, reflecting a market value of approximately \$1,185,000.

The board of review failed to timely submit any evidence in support of the subject's assessment and was found to be in default.

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 a reduction in the subject property's assessment is warranted.

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 appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the appellant submitted three comparables while the board of review failed to timely submit evidence in support of the subject's assessment as required by Section 1910.40(a) of the rules of the Property Tax Appeal Board. Therefore, the board of review was found in default pursuant to Section 1910.69(a) of the Board's rules. The appellant's comparables contain from 51 to 130 beds and sold for prices ranging from \$1,020,000 to \$2,432,500 or from \$16,008 to \$20,000 per bed. The Board finds the appellant's comparables #2 and #3 were significantly larger than the subject in number of beds and received less weight for this reason. The Board finds the appellant's comparable #1 was similar to the subject in design, exterior construction and number of beds and sold for \$1,020,000 or \$20,000 per bed. The Property Tax Appeal Board finds this most representative comparable demonstrates the subject's assessment is not reflective of its market value.

In conclusion, the Board finds the appellant has proven overvaluation by a preponderance of the evidence and the subject's assessment as determined by the board of review is incorrect and a 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: March 18, 2011

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.