



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

APPELLANT: Dennis & Denise Kruse  
DOCKET NO.: 07-04949.001-R-1  
PARCEL NO.: 08-28-200-002-000

The parties of record before the Property Tax Appeal Board are Dennis & Denise Kruse, the appellants; and the Monroe 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 Monroe County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$17,670  
**IMPR.:** \$33,566  
**TOTAL:** \$51,236

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a one-story, frame constructed dwelling that contains 1,596 square feet of living area. The dwelling was built in 1998 and has a full, partially finished, walk-out basement. Features include one fireplace, air-conditioning and a detached garage containing 1,560 square feet of building area. The dwelling is located on a 5-acre tract in Waterloo, Monroe County.

The appellants appeared before the Property Tax Appeal Board contending overvaluation as the basis of their appeal. In support of this argument the appellants submitted an appraisal estimating the subject property had a market value of \$154,000 as of April 11, 2005.<sup>1</sup> To estimate the market value of the subject

---

<sup>1</sup> Appellants also submitted an additional appraisal which estimated a value for the subject of \$151,000 as of June 2001. It was agreed at hearing that this appraisal was too remote in time to aid in a determination of the subject's fair market value in 2007. Therefore, it will not be considered in this decision.

property the appraiser developed the sales comparison approach to value.

Under the sales comparison approach to value, the appraiser used three sales of homes that ranged in size from 1,040 to 1,512 square feet of living area. The comparables ranged in age from 9 to 48 years old and were situated on tracts ranging in size from 1.5 to 4-acres. The comparables were located within 3.48 miles of the subject. The sales occurred from May to October 2004 for prices ranging from \$139,900 to \$154,000 or from \$95.17 to \$134.52 per square foot of living area, land included. In the analysis, the appraiser adjusted the comparables for site size, age, size of living area and basement finish. The comparables were estimated to have adjusted sales price values ranging from \$147,748 to \$167,248 or from \$100.91 to \$142.07 per square foot of living area, land included. The appraiser estimated the subject had an indicated value under the sales comparison approach of \$154,000 or \$96.49 per square foot of building, land included. The appraiser was not present at the hearing for direct examination or subject to cross-examination regarding his final opinion of value or methodologies.

The appellants also submitted a Notice of Final Decision on Assessed Value issued by the Monroe County Board of Review. The subject's total assessment of \$55,530 reflects a market value of \$166,907 or \$104.58 per square foot of living area, land included, using the 2007 three-year median level of assessments for Monroe County of 33.27% as determined by the Illinois Department of Revenue. Based on this evidence the appellants requested the subject's assessment be reduced to \$51,333 to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$55,530 was disclosed. The board of review submitted a memorandum which contested the land value adjustments used by the appraiser. It was the board of review's position that from January 2008 to January 2009, land values in Monroe County were at least \$4,000 per acre, as indicated by land located in Valmeyer. Therefore, it was argued that the \$2,000 per acre adjustments in the appellants' appraisal were incorrect. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellants argued that Valmeyer was located approximately 10-miles from the subject, and therefore it was not appropriate to compare land in this locale to the subject.

After hearing the testimony 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 a reduction in the subject's assessment.

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

The Board finds the best evidence of value in the record is the appraisal of the subject property submitted by the appellants estimating the subject had a market value of \$154,000 as of April 11, 2005. The appraiser developed the sales comparison approach to value. The Board reviewed the appraisal and finds the methodology comports with standard appraisal practice. The Board gave little weight to the board of review's argument regarding land values in Monroe County. The board of review failed to submit substantive documentary evidence to support the contention that land values in Monroe County were at least \$4,000 per acre, and not \$2,000 per acre as used by the appraiser. The Board finds the location of property used by the board of review of land located in Valmeyer, over 10-miles from the subject, is not as representative of land values located nearer to the subject property as were the sales contained in the appellant's appraisal. The board of review did not refute the remaining adjustments as shown in the appraisal or the methodology used.

Based on this evidence the Property Tax Appeal Board finds the subject property had a market value of \$154,000 as of the assessment date at issue. The Board finds a reduction to the subject's assessment commensurate with the estimation of value as found in the appraisal is appropriate. Since market value has been determined the 2007 three-year median level of assessments for Monroe County of 33.27% shall apply

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 M. Louie*

Member

*Shawn R. Lerski*

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: February 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.