



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

APPELLANT: Jerry & JoAnna Young
DOCKET NO.: 07-05182.001-R-1
PARCEL NO.: 11-11-152-004

The parties of record before the Property Tax Appeal Board are Jerry & JoAnna Young, the appellants; and the Knox 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 Knox County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$33,330
IMPR.: \$45,818
TOTAL: \$79,148

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 60,500 square foot lakefront parcel improved with a 29 year-old, A-frame style masonry and frame dwelling that contains 1,772 square feet of living area. Features of the home include two fireplaces and a full unfinished basement.

The appellants appeared before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellants submitted an appraisal of the subject property. The appraiser, who was present at the hearing and provided testimony regarding his report, used the cost and sales comparison approaches to derive his estimate value for the subject as of January 1, 2007 to be \$235,000. In the cost approach, the appraiser estimated the subject's site value at \$100,000. In his report, the appraiser stated that the site value is not based on sales of vacant lots, but was extracted from the market. Regarding the subject improvements, the

appraiser estimated reproduction cost new, including a deck/patio and two fireplaces, to be \$283,300. Physical deterioration of \$101,988 and functional obsolescence of \$42,495 were subtracted from the reproduction cost to derive a depreciated value of the improvements of \$138,817, to which site improvements of \$10,000 were added. Finally, the site value was incorporated into an indicated value for the subject by the cost approach of \$248,817.

In the sales comparison approach, the appraiser examined three comparables located 0.40 to 1.45 miles from the subject. The comparables consist of frame or brick and frame ranch style dwellings that range in age from 10 to 28 years and range in size from 1,280 to 3,528 square feet of living area. Features of the comparables include decks, full basements, two of which are finished, and one-car (with carport) or three-car garages. Two comparables have one or two fireplaces and docks and two have central air conditioning. The comparables sold between January and May 2006 for prices ranging from \$222,000 and \$325,000 or from \$62.93 to \$253.91 per square foot of living area including land. The appraiser adjusted the comparables' sale prices for such factors as room count, living area, basement finish, air conditioning, exterior construction, garage and docks. After adjustments, the comparables had adjusted sales prices ranging from \$177,880 to \$308,840 or from \$50.42 to \$241.28 per square foot of living area including land. Based on this analysis, the appraiser estimated a value for the subject by the sales comparison approach of \$235,000.

In his reconciliation, the appraiser stated the sales comparison approach "best represents (the) subject as adjusted." Based on this evidence, the appellants requested the subject's assessment be reduced to \$78,326.

During the hearing, appellant Jerry Young called appraiser Roger Haggerty as a witness. Haggerty testified the boards of review's land comparables are located in a different part of the subject's lake development from the subject.

The board of review submitted its Board of Review Notes on Appeal wherein the subject's total assessment of \$95,100 was disclosed. The subject has an estimated market value of \$282,363 or \$159.35 per square foot of living area including land, as reflected by its assessment and Knox County's 2007 three-year median level of assessments of 33.68%.

In support of the subject's assessment, the board of review submitted a grid analysis of three vacant land sales. The comparables range in size from 26,418 to 101,551 square feet of land area and sold between May and August 2006 for prices ranging from \$155,000 to \$920,000. The board of review's grid explained "We are only addressing the land in our comparable study, as the appellant is only seeking a reduction in the improvement of \$100." The board of review submitted no appraisal or improved

comparables to refute the appellants' appraisal. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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 this appeal. The Board further finds a reduction in the subject property's assessment is warranted. 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 (3rd 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 appellants submitted an appraisal of the subject wherein the subject's market value was estimated at \$235,000. The appraiser was present at the hearing to provide testimony regarding his preparation of the report and to be cross examined. The Board finds the appraiser was familiar with the subject's lakefront neighborhood and his comparables, while differing in size when compared to the subject, were nevertheless adjusted for such differences in a reasonable manner. During the hearing, the board of review chose not to cross examine the appraiser, which lends credence to his report. The Board finds the board of review submitted no appraisal or comparable sales of improved properties like the subject, but instead submitted data on three vacant lot sales. The Board finds this evidence is not sufficient to refute the market value conclusion contained in the appellants' appraisal. The Property Tax Appeal Board finds the best evidence of the subject's market value is found in this appraisal. Thus, the subject's market value as of its January 1, 2007 assessment date is \$235,000.

In summary, the Property Tax Appeal Board finds the appellants have proven overvaluation by a preponderance of the evidence, the subject's assessment is incorrect and a reduction is warranted in accordance with the value conclusion in the appellants' appraisal. Since market value has been established, the 2007 Knox County three-year median level of assessments 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 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: January 26, 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.