



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

APPELLANT: Michael Cooper  
DOCKET NO.: 07-06230.001-R-1  
PARCEL NO.: 11-29-504-000

The parties of record before the Property Tax Appeal Board are Michael Cooper, the appellant, by attorney Leroy A. Ufkes in Carthage, and the Hancock 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 Hancock County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$2,108  
**IMPR.:** \$19,513  
**TOTAL:** \$21,621

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of an 8,000 square foot parcel improved with a 97 year-old, one and one-half-story frame dwelling that contains 1,768 square foot of living area. Features of the home include central air conditioning, a two-car garage and a partial unfinished basement. The subject is located in Hamilton, Montebello Township, Hancock County.

Through his 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 an appraisal of the subject property prepared by a certified appraiser. The appraiser utilized the cost and sales comparison approaches to estimate the subject's market value at \$52,500, as of the report's effective date of August 20, 2007.

In the cost approach, the appraiser estimated the subject's site value at \$3,500. Without citing his sources, he developed a cost new of \$130,600, from which physical depreciation of 50% or \$65,300 was subtracted. After adding back the site value and

\$2,000 for site improvements, the appraiser concluded the subject's value by the cost approach was \$70,900.

In the sales comparison approach, the appraiser utilized three comparable properties, two of which are located within one mile of the subject. Proximity to the subject of the third comparable was not indicated. The comparables consist of parcels ranging from 7,000 to 22,500 square feet of land area that are improved with one-story, one and one-half-story or two-story frame dwellings that range in size from 1,688 to 2,404 square foot of living area and range in age from 107 to 130 years. Features of the comparables include central air conditioning, two-car or three-car garages and full or partial unfinished basements. The comparables sold between February and June 2007 for prices ranging from \$49,500 to \$62,000 or from \$25.79 to \$32.58 per square foot of living area including land. The appraiser adjusted the comparables' selling prices for differences when compared to the subject, such as lot size, room count, living area and basement size. After adjustments, the comparables had adjusted sales prices ranging from \$50,180 to \$55,300 or from \$21.48 to \$32.76 per square foot of living area including land. Based on this analysis, the appraiser estimated the subject's value by the sales comparison approach at \$52,500.

In his reconciliation, the appraiser stated the cost approach was unreliable due to the subject's age and placed most weight on the sales comparison approach. Based on this evidence the appellant requested the subject's total assessment be reduced to \$17,500, reflecting a market value of \$52,500 or \$29.69 per square foot of living area including land.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$21,621 was disclosed. The subject has an estimated market value of approximately \$64,714 or \$36.60 per square foot of living area including land, as reflected by its assessment and the Hancock County 2007 three-year median level of assessments of 33.41%.

In support of the subject's assessment, the board of review submitted property record cards, Real Estate Transfer Declarations and a grid analysis of four comparable properties located within one-half mile of the subject. The comparables consist of one and one-half-story style frame dwellings that range in age from 109 to 117 years and range in size from 1,056 to 2,232 square foot of living area. Three comparables have full or partial unfinished basements and two-car or three-car garages and two have central air conditioning. One comparable has an additional one-car garage. The comparables sold between September 2006 and May 2007 for prices ranging from \$54,500 to \$65,000 or from \$27.78 to \$54.92 per square foot of living area including land. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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 Property Tax Appeal Board further finds no reduction in the subject property's assessment is warranted.

The appellant contends overvaluation as the basis of the appeal. When market value is the basis of the appeal, the value 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). After analyzing the market evidence submitted, the Board finds the appellant has failed to meet this burden.

The Board finds the appellant submitted an appraisal of the subject property with an estimated market value of \$52,500, while the board of review submitted four comparable sales. The Board gave little weight to the value conclusion in the appellant's appraisal. Two of the comparables used by the appraiser differed from the subject in design. The appraiser made no adjustment for this design difference and provided no basis for other adjustments he did make. For example, the appraiser adjusted his comparable #2 for its significantly larger lot size of 22,500 (a difference of 14,500 square feet when compared to the subject) by \$2,500 or just \$0.17 per square foot of land area. However, the appraiser estimated a site value for the subject's 8,000 square foot lot at \$3,500 or \$0.44 per square foot of land area. The third comparable used by the appraiser was significantly larger in living area than the subject dwelling.

The Board also gave little weight to the board of review's comparables #1, #2 and #4 because they, although similar to the subject in design, differed significantly from the subject in living area. The Board further finds the board of review's comparable #3, while similar to the subject in living area and design, had no basement, garage, or central air conditioning like the subject. The Board finds none of the comparables in this record is truly similar to the subject. Nevertheless, the Board finds all the comparables sold for prices ranging from \$25.79 to \$55.56 per square foot of living area including land. The subject's estimated market value as reflected by its assessment of \$36.60 per square foot of living area including land falls well within this range. Lastly, the Board finds the board of review's comparable #3, although lacking the aforementioned amenities enjoyed by the subject, sold just three months prior to the subject's January 1, 2007 assessment date for \$36.05 per square foot of living area including land. In light of these facts, the Board finds the subject's estimated market value as reflected by its assessment of \$36.60 per square foot of living area including land is justified. Therefore, the Board finds the evidence in the record supports the subject's assessment.

In conclusion, the Property Tax Appeal Board finds the appellant has failed to prove overvaluation by a preponderance of the evidence and the subject's assessment as determined 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. 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: January 21, 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.