



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

APPELLANT: Rick & Kristy Riley
DOCKET NO.: 08-01326.001-R-1
PARCEL NO.: 16-34-202-012

The parties of record before the Property Tax Appeal Board are Rick and Kristy Riley, the appellants; and the Rock Island 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 **Rock Island** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$8,001
IMPR.: \$52,119
TOTAL: \$60,120

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story single family dwelling of frame and brick construction that contains 1,424 square feet of living area. Features of the home include central air conditioning, a full unfinished basement and a two-car attached garage with 480 square feet of building area. The home was constructed in 2005. The subject property has a 7,670 square foot site. The property is located in Rock Island, Blackhawk Township, Rock Island County.

The appellants contend overvaluation based on both recent construction and comparable sales. In support of the recent construction costs the appellants completed Section VI - Recent Construction Information on Your Residence on the appeal form stating the subject's site was purchased in September 2004 for a price of \$18,900 and the total cost to construct the home was \$130,000 resulting in a total cost of \$148,900. To further document the cost of construction the appellants submitted a copy of a contract with Able Builders and an itemization of the construction costs. The appellants also submitted a copy of the Real Estate Transfer Declaration documenting the sale of the subject land. The appellants indicated the dwelling was completed in June 2005 and they did not act as general contractor and there was no non-compensated labor was performed.

The appellants also provided information on four comparable sales located along the same street and within the same block of the subject property. The comparables were improved with 2 one-story single family dwellings, a 1.5-story dwelling and 1 two-story dwelling of frame or frame and brick construction that range in size from 1,557 to 1,792 square feet of above grade living area. The dwellings were constructed from 2000 to 2002. Each comparable was described as having a basement that was finished with living area, central air conditioning, one fireplace and an attached garage ranging in size from 484 to 700 square feet of building area. The comparables have sites ranging in size from 7,670 to 14,350 square feet of land area. These properties sold from May 2006 to August 2007 for prices ranging from \$179,500 to \$215,000 or from \$100.50 to \$136.48 per square foot of above grade living area.

The appellants contend the subject has an unfinished basement while the comparables have finished lower levels with some being walk-out basements. They also argued that three of the comparables have larger lots with park-like settings. The appellants further stated the subject's assessment reflects a market value of \$180,378 or 21% greater than the cost to construct the dwelling in 2005. They did not believe the subject's value increased at that rate since the housing market has been in a steady decline since the home was constructed. Based on this evidence the appellants requested the subject's assessment be reduced to \$49,820.

The board of review submitted its "Board of Review Notes on Appeal" wherein the final assessment of the subject totaling \$60,120 was disclosed. The subject's assessment reflects a market value of \$180,054 or \$126.44 per square foot of living area, including land, using the 2008 three year average median level of assessments for Rock Island County of 33.39%.

In support of the assessment the board of review submitted information on seven comparable properties. Board of review comparables #1 through #3 were the same properties as appellants' comparables #2 through #4. The four additional comparables were improved with one-story dwellings of frame or frame and brick construction that ranged in size from 1,500 to 1,623 square feet of living area. The dwellings were constructed from 2006 to 2008. Each of these comparables had a basement with three being finished, central air conditioning and an attached garage ranging in size from 728 to 901 square feet. Three comparables also had one or two fireplaces. These four comparables were located in Milan, Rock Island and Coal Valley approximately 1.59 to 3 miles from the subject property. The sales occurred from February 2007 to July 2008 for a prices ranging from \$190,000 to \$289,103 or from \$126.67 to \$178.13 per square foot of living area, including land.

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 the appeal. The Board further finds the evidence in the record does not support a reduction in the assessment of the subject property.

The appellants contend overvaluation as the basis of the appeal. 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). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. (86 Ill.Admin.Code §1910.65(c)). The Board finds the appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Property Tax Appeal Board finds the best evidence of market value in the record to be the sales of one-story dwellings submitted by the parties. The record has information on six comparable sales submitted by the parties that were improved with one-story dwellings of frame or frame and brick construction that ranged in size from 1,500 to 1,642 square feet of living area. The comparables were constructed from 2001 to 2008. The comparables were similar to the subject in features with the exception that five had one or two fireplaces and five had finished basement area whereas the subject did not have a fireplace and had an unfinished basement. These properties sold from February 2007 to July 2008 for prices ranging from \$190,000 to \$289,103 or from \$126.67 to \$178.13 per square foot of living area, including land. The subject's assessment reflects a market value of \$180,054 or \$126.44 per square foot of living area, including land, using the 2008 three year average median level of assessments for Rock Island County of 33.39%, which is below the range established by the comparables in the record. The Board finds these sales demonstrate the subject's assessment is not excessive and is reflective of the market value of the property as of January 1, 2008.

Although the appellants provided information with respect to the purchase price of the land in 2004 and the construction costs that were incurred in 2005, the Board finds the comparable sales that occurred more proximate in time to the assessment date at issue are better indicators of market value as of January 1, 2008.

In conclusion the Board finds the assessment of the subject property as established by the Rock Island County Board of Review is correct and a reduction in the assessment is not justified.

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.

Donald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario Morris

Member

J. R.

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: April 20, 2012

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.