



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

APPELLANT: Jean Dace
DOCKET NO.: 08-01957.001-R-1
PARCEL NO.: 14-16-129-008

The parties of record before the Property Tax Appeal Board are Jean Dace, the appellant, by attorney Clyde B. Hendricks in Peoria, and the Peoria 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 Peoria County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND: \$20,140
IMPR.: \$28,310
TOTAL: \$48,450**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story frame dwelling containing 1,615 square feet of living area. The dwelling was built in 1958. Features include a garage, central air conditioning and a fireplace.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of the overvaluation claim the appellant submitted sale information on three comparable properties. The appellant's comparables consist of one-story frame, brick or brick and frame dwellings. They were built from 1952 to 1965. They contain 1,495 to 1,638 square feet of living area. All have basements with finished areas, garages, central air conditioning, and one or two fireplaces. The comparables sold from May 2007 to August 2008 for \$126,000 to \$134,000 or \$76.92 to \$89.33 per square foot of living area including land.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's assessment of \$56,380 was disclosed. The subject's assessment reflects an estimated market value of \$170,178 or \$105.37 per square foot of living area including land using Peoria County's 2008 three-year median level of assessments of 33.13%.

In support of the subject's assessment the board of review presented descriptions and sale price information on three comparable properties. They consist of one-story frame or brick and frame dwellings that were built from 1955 to 1972. The dwellings have 1,656 to 2,364 square feet of living area. All have garages, one or three fireplaces and basements of which two have finished areas. Two have central air conditioning. The board of review's comparables sold from May 2007 to April 2008 for \$150,000 to \$283,750 or \$90.58 to \$120.03 per square foot of living area including land. The board of review also provided a map that indicated the location of the subject and the six comparables provided by the parties. The board of review's comparables are located from 0.74 miles to 1.01 miles from the subject. The appellant's comparables are located from 1.75 to 2.57 miles from the subject. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal the appellant submitted listing sheets related to the board of review's comparable properties and highlighted differences between the subject and the board of review's comparables. The appellant noted that despite the property record card in the board of review's evidence indicating the subject did not have a basement, the board of review's grid sheet indicates it has a partially finished basement. The appellant also argued that it is unfair to compare owner-occupied homes with rental properties such as the subject.

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's assessment is warranted.

The appellant argued the subject is overvalued. When market value is the basis of the appeal, the value must be proved by a preponderance of the evidence. Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill. App. 3d 179, 183, 728 N.E.2d 1256 (2nd Dist. 2000). After an analysis of the evidence, the Board finds this burden has been met.

The record contains information on the subject and the sales of six suggested comparable properties for the Board's consideration. The board of review's comparable #2 is much larger than the subject. The other five comparables were generally similar to the subject except all have basements not enjoyed by the subject. None is located very close to the subject. They sold for \$126,000 to \$194,500 or \$76.92 to \$104.12 per square foot of living area including land. The subject's estimated market value of \$170,178 or \$105.37 per square foot of living area including land is above this range on a per-square-foot basis even though the subject does not have a basement. After considering the evidence the Board finds the appellant has proven by a preponderance of the evidence that the subject is overvalued and a reduction is warranted on that basis.

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: December 3, 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.