



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

APPELLANT: Ron Ludwig
DOCKET NO.: 08-01966.001-R-1
PARCEL NO.: 18-07-477-032

The parties of record before the Property Tax Appeal Board are Ron Ludwig, 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 no change 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: \$ 850
IMPR: \$ 6,910
TOTAL: \$ 7,760

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story dwelling of frame construction containing 640 square feet of living area. The dwelling was built in 1949. Features include a garage and a basement with a recreation area.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of the claim the appellant submitted information on three comparable properties. The appellant's comparables consist of one-story frame dwellings. They were built from 1900 to 1946. They contain 545 to 910 square feet of living area. One has a basement, and none has a garage. The comparables sold from June 2007 to May 2008 for \$7,000 to \$8,000 or \$7.69 to \$14.68 per square foot of living area including land. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's assessment of \$7,760 was disclosed. The subject's assessment reflects an estimated market value of \$23,423 or \$36.60 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 dwellings that were built from 1920 to 1949. The dwellings have 676 to 720 square feet of living area. All have basements, two have garages, and two have central air conditioning. The board of review's comparables sold in December 2007 or January 2008 for \$26,550 to \$30,000 or \$37.50 to \$44.38 per square foot of living area including land. The board of review provided a map that indicated the location of the subject and the six comparables offered by the parties. Only the board of review's comparables #1 and #2 are located within less than one-half mile of the subject. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal the appellant highlighted differences between the subject and the board of review's comparables. The appellant provided an MLS listing for the board of review's comparable #3 and opined it was not an arm's-length transaction because the real estate agent and buyer were related and the property was on the market 0 days. 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 not 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 the appellant has not met this burden.

The record contains six suggested comparable sales for the Board's consideration. The appellant's comparable #1 is 49 years older than the subject and more than 40 percent larger. The sale of the board of review's comparable #3 may not have been an arm's-length transaction. The other four comparables are generally similar to the subject except the appellant's comparables #2 and #3 lack basements and garages and the board of review's comparables #1 and #2 have central air conditioning. They sold for \$7,150 to \$27,000 or \$11.24 to \$37.93 per square foot of living area including land. The subject's estimated market value of \$23,423 or \$36.60 per square foot of living area including land is within that range and is slightly lower than the sale prices per square foot of the board of review's comparables #1 and #2 located nearest the subject. After considering the evidence the Board finds the appellant has not proven by a preponderance of the evidence that the subject is overvalued 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 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.