



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

APPELLANT: Steve Tobin
DOCKET NO.: 08-02012.001-R-1
PARCEL NO.: 14-30-455-014

The parties of record before the Property Tax Appeal Board are Steve Tobin, the appellant, by attorney Clyde B. Hendricks of 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: \$3,070
IMPR.: \$11,930
TOTAL: \$15,000

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a one-story single family dwelling with 775 square feet of living area. Features of the property include two bedrooms and a detached garage with 308 square feet. The dwelling was constructed in 1951 and is of frame construction.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable properties described as one-story dwellings that ranged in size from 624 to 680 square feet of living area. One comparable has central air conditioning. The comparables have one or two bedrooms and were constructed in 1940 and 1950. The appellant provided copies of the multiple listing service sheets for the sales. The sales occurred from April 2007 to May 2008 for prices ranging from \$26,000 to \$41,500 or from \$38.24 to \$61.76 per square foot of living area. Based on this evidence the appellant requested the subject's assessment be reduced to \$12,670.

The board of review (BOR) submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$18,050 was disclosed. The subject's assessment reflects a market value of \$54,482 or \$70.30 per square foot of living area,

land included, using the 2008 three year average median level of assessments for Peoria County of 33.13%. In support of the assessment the BOR submitted information on three comparables composed of one-story dwellings that ranged in size from 702 to 1,027 square feet of living area. Two comparables have basements, two comparables have central air conditioning, two comparables have fireplaces and one comparable has a detached garage. The dwellings were constructed in 1950 and 1951. The sales occurred from April 2007 to December 2007 for prices ranging from \$55,000 to \$68,500 or from \$53.55 to \$97.58 per square foot of living area, including land. The BOR also provided a copy of a map depicting the location of the subject and the comparables submitted by both parties. Based on this evidence, the BOR requested confirmation of the subject's assessment.

In rebuttal the appellant asserted the BOR comparable #1 sold in August 2006 for a price of \$26,000 and resold in May 2007 for a price of \$66,000. The appellant submitted copies of the multiple listing service sheets for both sales. The information for the August 2006 sale indicated the property was sold "as is" and the price reflects need for repairs. The information for the May 2007 sale stated the property had been totally redone with updates that include a furnace, central air conditioning, windows, 100 AMP electric service, water heater, roof, exterior and interior doors, new flooring, new kitchen cabinets, sink and light fixtures. The appellant asserted BOR comparable #2 had a finished basement and central air conditioning whereas the subject has neither. The appellant also asserted the BOR comparable #3 was 32% larger than the subject and sold for \$53.55 per square foot of living area. The multiple listing service sheet for this comparable indicated this property was remodeled throughout.

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 a reduction in the subject's assessment is supported by the evidence in the record.

The appellant contends 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 sales data in the record support a reduction in the subject's assessment.

The Board finds the comparables most representative of the subject in size, style, age, features and condition were those submitted by the appellant. These properties sold from April 2007 to May 2008 for prices ranging from \$26,000 to \$41,500 or from \$38.24 to \$61.76 per square foot of living area. The subject's assessment of \$18,050 reflects a market value of

\$54,482 or \$70.30 per square foot of living area, land included, using the 2008 three year average median level of assessments for Peoria County of 33.13%, which is above the range established by the best comparables in the record. Based on this record the Board finds a reduction in the subject's assessment is 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.

Ronald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario M. Louie

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: April 22, 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.