



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

APPELLANT: Jim & Laura Sniff
DOCKET NO.: 08-02023.001-R-1
PARCEL NO.: 18-19-176-002

The parties of record before the Property Tax Appeal Board are Jim & Laura Sniff, the appellants, 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: \$720
IMPR: \$2,560
TOTAL: \$3,280**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story dwelling of brick construction containing 960 square feet of living area. The dwelling was built in 1930. It has a basement.

The appellants submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of the claim the appellants submitted information on the purchase of the subject in March 2006 for \$11,500. The information supplied by the appellants indicates the sale was not between family or related corporations, but the property was not advertised in the marketplace. The appellants also provided a grid sheet with information on the sale of three comparable properties for sale prices of \$7,000 to \$8,000. Based on this evidence, the appellants 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 \$7,050 was disclosed. The subject's assessment reflects an estimated market value of \$21,280 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 four comparable properties. They sold for prices that ranged from \$17,500 to \$27,000. The board of review did not indicate whether it considered the March 2006 sale of the subject an arm's-length transaction. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal the appellants provided an MLS listing sheet that indicated the appellants subsequently sold the subject through a realty office on a contract for deed in January 2009 for \$9,900 after it was on the market for 89 days. The sale price was the full MLS listing price. The appellants also argued that it is unfair to compare owner-occupied homes with rental properties such as the subject.

The board of review did not respond to evidence of the January 2009 sale.

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 appellants 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 burden has been met.

The parties provided evidence of the sale prices of comparable properties, but the appellants provided evidence of two recent sales of the subject itself to demonstrate that it is overvalued. The property was not advertised for sale before the March 2006 sale, and the Board finds it could not reliably be considered an arm's-length transaction indicative of the market value of the subject. On the other hand, the appellants' evidence indicates the subject was exposed to the open market through MLS for 89 days prior to its purchase for \$9,900 in January 2009. The board of review did not respond to the appellant's rebuttal evidence. The Board finds that the best evidence of the market value of the subject is its selling price of \$9,900. After considering the evidence the Board finds the appellants have proven by a preponderance of the evidence that the subject is overvalued and a reduction is warranted. The market value of the subject having been determined, Peoria County's three-year median level of assessments of 33.13% shall be applied.

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: December 23, 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.