



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

APPELLANT: Jessie & Emma Guyton  
DOCKET NO.: 08-02030.001-R-1  
PARCEL NO.: 18-19-102-004

The parties of record before the Property Tax Appeal Board are Jessie and Emma Guyton, the appellants, 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:** \$840  
**IMPR:** \$7,830  
**TOTAL:** \$8,670

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a one-story single family dwelling that contains 1,088 square feet of living area. The subject has two bedrooms, a full basement, central air conditioning and a 280 square foot detached garage. The dwelling was constructed in 1950.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted sales data on three comparable properties improved with one-story single family dwellings that range in size from 545 to 910 square feet of living area. The dwellings were constructed from 1900 to 1946. One comparable has a basement, two comparables each have one bedroom and one comparable has two bedrooms. The appellant indicated the subject has a C grade while the comparables have grades of D-10, D and D-5, respectively. The appellant further indicated that only one comparable was in the same condition as the subject. The appellant also indicated each of the comparables has a different neighborhood code than the subject property. To further document the sales the appellant submitted copies of the multiple listing service (MLS) sheets associated with each sale. The sales occurred from June 2007 to May 2008 for prices ranging from \$7,000 to \$8,000 or from \$7.69 to \$14.68 per square foot of living area. Based on this evidence the

appellant requested the subject's assessment be reduced to \$4,000.

The board of review (BOR) submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$11,380 was disclosed. The subject's assessment reflects a market value of approximately \$34,350 or \$31.57 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 its contention of the correct assessment the BOR submitted information on four, one-story dwellings that range in size from 858 to 1,008 square feet of living area. Each comparable has two bedrooms and a basement. One comparable has central air conditioning and two comparables have a detached garage with 280 and 240 square feet of building area, respectively. The dwellings were constructed from 1938 to 1966. The BOR indicated the subject and the comparables were in fair condition. The comparables have grades of D, C-5, C-10 and D, respectively. The BOR also indicated each comparable had the same neighborhood code as the subject. The BOR submitted a map noting the location of the subject and the comparables used by the parties. The map depicted the BOR comparables as being located closer to the subject than were the appellant's comparables. The sales occurred from June 2007 to March 2008 for prices ranging from \$18,500 to \$31,500 or from \$19.68 to \$36.46 per square foot of living area, including land. Based on this evidence, the BOR requested the subject's assessment be reduced to \$8,670.

In rebuttal the appellant submitted a statement stating BOR comparables #1, #2 and #3 sold for less per square foot than the value reflected by the subject's assessment. The appellant also asserted the BOR comparable #4 sold recently sold for \$7,100. A copy of the MLS sheet for BOR comparable #4 indicated the property sold in June 2010 for a price of \$7,100 and was a Real Estate Owned (REO) property.<sup>1</sup>

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 (3<sup>rd</sup> Dist. 2002). The Board finds the sales data in the record supports a reduction in the subject's assessment.

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<sup>1</sup> An REO property is one that a bank or other financial institution now owns after an unsuccessful sale at a foreclosure auction. William Roark (2006), *Concise Encyclopedia of Real Estate Business Terms*.

The record contains information on 7 comparable sales submitted by the parties. The Board finds the comparables submitted by the appellant were not similar to the subject in location, two comparables were not similar to the subject in age and two comparables were not similar to the subject in size. The Board further finds the appellant's comparables were not similar to the subject in features, each was inferior to the subject in grade and two were inferior to the subject in condition. The Board gives these sales no weight. The four comparables submitted by the BOR were more similar to the subject in location, age, size, features and condition. These properties sold from June 2007 to March 2008 for prices ranging from \$18,500 to \$31,500 or from \$19.68 to \$36.46 per square foot of living area, including land. The subject's assessment reflects a market value of \$34,350 or \$31.57 per square foot of living area, land included, which is above the price of three of the best comparables in the record on a square foot basis. Based on this record the Board finds a reduction in the subject's assessment commensurate with the board of review's recommendation is appropriate.

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: 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.