



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

APPELLANT: Jim Sniff
DOCKET NO.: 08-02033.001-R-1
PARCEL NO.: 13-13-153-002

The parties of record before the Property Tax Appeal Board are Jim Sniff, 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 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: \$2,900
IMPR.: \$25,260
TOTAL: \$28,160**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a bi-level single family dwelling with 1,550 square feet of living area. The dwelling has central air conditioning and a detached garage with 308 square feet of building area. The dwelling was constructed in 1971.

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 two, bi-level dwellings and a one-story dwelling that range in size from 925 to 1,874 square feet of living area. The dwellings were constructed from 1969 to 1971. The bi-level dwellings have finished lower levels while the one-story dwelling has a slab foundation. Two comparables have central air conditioning and two comparables each have a garage with 300 and 384 square feet of building area, respectively. One comparable has a different neighborhood code than the subject property. The sales occurred from May 2007 to June 2008 for prices ranging from \$42,500 to \$67,000 or from \$32.67 to \$64.76 per square foot of living area, including land. To further document the sales the appellant submitted copies of the multiple listing service (MLS) sheets associated with each sale. The MLS information for comparable #1 indicated that the home needs work and the property has a window air conditioning unit. The MLS information for comparable #2 indicated that the home needs some TLC (tender loving care) and the property was

Real Estate Owned (REO).¹ Based on this evidence the appellant requested the subject's assessment be reduced to \$24,320.

The board of review (BOR) submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$28,160 was disclosed. The subject's assessment reflects a market value of approximately \$84,998 or \$54.84 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 bi-level dwellings that each contained 1,550 square feet of living area. Each comparable has a finished lower level, each comparable has central air conditioning and the comparables each have a detached garage with 528 or 576 square feet of building area. The dwellings were constructed in 1971 and 1972. Each comparable has the same neighborhood code as the subject. The BOR also provided a map depicting the location of the subject and the comparables used by the parties. The map depicted the comparables used by the BOR as being located closer to the subject than were those used by the appellant. The sales occurred from May 2007 to February 2008 for prices ranging from \$79,900 to \$105,000 or from \$51.55 to \$67.74 per square foot of living area, including land. Based on this evidence, the BOR requested the subject's assessment be confirmed.

In rebuttal the appellant submitted copies of the MLS sheets for the BOR comparables. He contends the BOR comparables were in superior condition and have features or updates that the subject does not have.

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 not 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 does not support a reduction in the subject's assessment.

The record contains information on 6 comparable sales submitted by the parties. Appellant's comparable #2 was a one-story dwelling on a slab foundation, dissimilar to the subject in style and features. This dwelling is found not to be comparable to the subject dwelling. Of the two remaining comparables provided by the appellant, the Board finds the data indicated they both were

¹ 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*.

in need of work at the time of sale and one had a different neighborhood code than the subject. The Board finds the BOR sales were more similar to the subject in location than those used by the appellant and were also more similar to the subject in style, size and age. The Board gives these sales the most weight in its analysis. The information provided by the appellant in rebuttal indicated each comparable may have been superior to the subject in condition. The BOR comparables sold for unit prices ranging from \$51.55 to \$67.74 per square foot of living area. The subject's assessment reflects a market value of \$54.84 per square foot of living area, land included, which is at the low end of the range established by the best comparables on a square foot basis. Based on this record the Board finds a reduction in the subject's assessment is not 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 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.