



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

APPELLANT: Lou Lewellen
DOCKET NO.: 08-02046.001-R-1
PARCEL NO.: 13-14-430-008

The parties of record before the Property Tax Appeal Board are Lou Lewellen, 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: \$4,060
IMPR.: \$21,120
TOTAL: \$25,180

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a split-level single family dwelling with 1,768 square feet of living area. The dwelling was constructed in 1978. The dwelling has a finished lower level and an aluminum siding exterior. The property is also improved with a detached garage with 480 square feet.

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 a one-story dwelling and two, split level dwellings. The homes range in size from 925 to 1,874 square feet of living area and were constructed from 1969 to 1971. Comparable #2, the one-story dwelling, has a slab foundation and an attached garage with 300 square feet. Each of the split-level dwellings has a finished lower level and central air conditioning. One of these comparables has an attached 300 square foot garage and one has a detached 384 square foot garage. A copy of the multiple listing service information for comparable #1 indicated that the home needed work and the multiple listing service information for comparable #2 indicated that the home needs some TLC (tender loving care) and was sold "as is". 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. Based on this evidence the appellant requested the subject's assessment be reduced to \$23,340.

The board of review (BOR) submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$31,460 was disclosed. The subject's assessment reflects a market value of \$94,959 or \$53.71 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 split-level dwellings that range in size from 1,550 to 1,664 square feet of living area. Each comparable has finished lower level, central air conditioning and a detached garage that range in size from 352 to 528 square feet. The dwellings were constructed from 1972 to 1979. The sales occurred in October 2007 to December 2007 for prices ranging from \$71,500 to \$97,500 or from \$42.97 to \$60.48 per square foot of living area, including land. The BOR also provided a copy of a map depicting the location of the subject and comparables it utilized. Based on this evidence, the BOR requested confirmation of the subject's assessment.

In rebuttal the appellant asserted that BOR comparable #2 was superior to the subject and submitted a copy of the multiple listing service information for this property. The data indicated the dwelling had a fireplace, a walkout finished lower level and an updated kitchen. The appellant also argued BOR comparable #3 is superior to the subject and submitted a copy of the multiple listing service information for this property. The information indicated this property was in move in condition with fresh paint and wall treatments throughout, new kitchen cabinets, redone bathrooms, new furnace, new air conditioning and new appliances.

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, with the exception of appellant's comparable #2, the comparables were similar to the subject in style and age. The evidence in the record indicated that appellant's comparables #1 and #3 were in need of work at the time of sale. These properties sold for unit prices of \$32.67 and \$35.75 per square foot of living area, land included. The BOR comparables #2 and

#3 appear to be superior to the subject in condition and sold for unit prices of \$60.48 and \$51.55 per square foot of living area, land included. BOR comparable #1, which is closest to the subject in location, sold for a unit price of \$42.97 per square foot of living area, land included. The subject's assessment of \$31,460 reflects a market value of \$94,959 or \$53.71 per square foot of living area, land included, using the 2008 three year average median level of assessments for Peoria County of 33.13%. The subject's assessment reflects a market value above all but one of the comparables. After reviewing this data, 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.