



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

APPELLANT: Richard Wicks
DOCKET NO.: 08-02059.001-R-1
PARCEL NO.: 18-03-187-007

The parties of record before the Property Tax Appeal Board are Richard Wicks, the appellant, 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 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: \$1,280
IMPR.: \$10,380
TOTAL: \$11,660

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 96 year-old, two-story frame dwelling that contains 1,914 square feet of living area. Features of the home include a full unfinished basement. The property is located in Peoria County.

The parties stipulated to having a decision in this matter rendered on the evidence submitted in the record. Therefore, the decision of the Property Tax Appeal Board contained herein shall be based upon the evidence contained in and made a part of this record.

The appellant claimed overvaluation based on comparable sales. In support of this argument, the appellant submitted a grid analysis of three comparable properties with underlying Multiple Listing Service sheets attached. The comparables consist of two, two-story and one, one and one-half-story style frame dwellings that were built in 1900 or 1920 and range in size from 1,005 to 2,409 square feet of living area. Features of the comparables include full or partial unfinished basements. Two comparables

have either a one-car or two-car garage. These properties were described as being in fair condition, with quality grades of C-1, D+1 or D+5. The subject is also in fair condition and has a quality grade of C-10. The comparables sold in October 2006 or May 2007 for prices ranging from \$8,500 to \$12,000 or from \$3.53 to \$8.96 per square foot of living area, land included. Based on this evidence, the appellant requested a reduction in the subject's assessment to \$3,500 or to reflect an estimated market value of \$10,500.

The board of review submitted its Board of Review Notes on Appeal wherein the subject's total assessment of \$11,660 was disclosed. The subject has an estimated market value of \$34,983 or \$18.28 per square foot of living area, including land, as reflected by its assessment and the statutory level of assessment of 33.33%. (35 ILCS 200/9-145)

In support of the subject's estimated market value as reflected by its assessment, the board of review submitted a grid analysis of three comparable properties, a location map of the comparables and copies of applicable property record cards. The comparables consist of two-story frame dwellings that were built in 1899 or 1900 and range in size from 1,456 to 2,395 square feet of living area. As set forth on the property record cards, comparables #1 and #3 were said to be multi-family dwellings. Features of the comparables include full or partial unfinished basements; one comparable has two fireplaces. One comparable has a garage that contains 484 square feet of building area. These properties were described as being in fair condition, with quality grades of C or D+10. The properties sold between September 2007 and May 2008 for prices ranging from \$30,000 to \$40,000 or from \$12.53 to \$21.98 per square foot of living area, land included.

In written rebuttal, the appellant argued the subject is a duplex and contended that board of review comparables #1 and #2 were single family dwellings; the basis for this contention was the Multiple Listing Service sheet for each property. In addition, appellant contended based on the Multiple Listing Service sheets that the board of review's comparables had amenities and updates not enjoyed by the subject. The appellant submitted no credible market evidence as to any increase in value attributable to these properties' additional features.

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 Property Tax Appeal Board further finds no reduction in the subject property's assessment is warranted.

The appellant contends overvaluation as the basis of the appeal. When market value is the basis of the appeal, the value 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). After analyzing the market

evidence submitted, the Board finds the appellant has failed to overcome this burden.

The Board finds the parties submitted six sales comparables for its consideration. The Board gave less weight to the appellant's comparables #2 and #3 and board of review comparables #1 and #2 because they differed significantly in living area when compared to the subject. The Board finds the remaining two comparables were similar to the subject in design, size, age and most features and sold for prices ranging of \$5.38 and \$19.23 per square foot of living area, land included. The subject's estimated market value as reflected by its assessment of \$18.28 per square foot of living area, including land, falls within this range. After considering adjustments and differences in both parties' comparables when compared to the subject, the Board finds the evidence in the record supports the subject's estimated market value as reflected by its assessment.

In conclusion, the Property Tax Appeal Board finds the appellant has failed to prove overvaluation by a preponderance of the evidence and the subject's assessment as determined by the board of review is correct and no reduction is warranted.

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

Frank J. Huff

Member

Member

Mario M. Louie

Shawn R. Lerski

Member

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: May 21, 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.