FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Jeff Shoumaker
DOCKET NO.: 08-02064.001-R-1
PARCEL NO.: 14-33-476-012

The parties of record before the Property Tax Appeal Board are Jeff Shoumaker, 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:	$ 2,430
IMPR.:	$ 17,150
TOTAL:	$ 19,580

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story, five-unit dwelling of frame construction containing 2,512 square feet of living area. The dwelling was built in 1930. Features include a basement.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of the claim the appellant submitted information on three comparable properties, two of which are for sales and one is for a listing. The appellant's comparables consist of two-story, single-family, four-unit or five-unit, frame dwellings. They were built in 1920 or 1930. They contain 2,450 to 4,348 square feet of living area. All have basements, one has central air conditioning, and one has a garage. Comparables #1 and #2 sold in February of 2007 and February 2008 for $33,000 and $41,900 or $9.64 and $12.75 per square foot of living area including land. Comparable #3 became listed on 6/5/2008 for $19,900 or $8.12 per square foot of living area including land. Based on this evidence, the appellant 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 $19,580 was

disclosed. The subject's assessment reflects an estimated market value of $59,101 or $23.53 per square foot of living area including land 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 and equity information on two other comparable properties. They consist of two-story, three-unit to five-unit, frame or brick dwellings that were built from 1890 to 1925. The dwellings have 2,268 to 2,734 square feet of living area. All have basements, two of which have finished recreation areas. Two have fireplaces, and one has a garage. The four board of review's comparables sold from January 2007 to January 2008 for $45,000 to $61,000 or $18.10 to $26.90 per square foot of living area including land. The board of review also provided an MLS listing sheet for the subject that indicated it became listed on 7/19/2009 for $109,900. The board of review also submitted a property history detail sheet that indicated the subject sold in March 2006 for $38,000. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal the appellant stated that the 7/19/2009 listing took into consideration updates that were made to the property after the January 1, 2008, assessment date. The appellant argued that it is unfair to compare owner-occupied homes with rental properties such as the subject.

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 not warranted.

The appellant 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 appellant has not met this burden.

The record contains six suggested comparable sales and one listing for the Board's consideration. The appellant's comparable #1 is not a multi-family dwelling similar to the subject. The appellant's comparable #2 is much larger than the subject. The appellant's comparable #3 is a listing in which the description indicates renovations were about to begin to convert the dwelling back to a single-family residence and the price would increase as renovations proceeded. This draws into question the condition of that comparable at the time of listing. The board of review's four sales comparables are similar to the subject in size and most other property characteristics. These four comparables sold for $45,000 to $61,000 or $18.10 to $26.90 per square foot of living area including land. The subject's estimated market value of $59,101 or $23.53 per square foot of

living area including land is within that range. After considering the evidence the Board finds the appellant has not proven by a preponderance of the evidence that the subject is overvalued 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.

Chairman

Member

Member

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: December 23, 2010

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.