



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

APPELLANT: Jeff Shoumaker
DOCKET NO.: 08-02083.001-R-1
PARCEL NO.: 18-08-261-004

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 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: \$810
IMPR: \$1,610
TOTAL: \$2,420**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 9,000 square-foot parcel improved with a two-story frame duplex dwelling of that contains 1,948 square feet of living area. The dwelling is 108 years old. The property has a full basement with 860 square feet of finished area.

The appellant submitted a residential appeal contending overvaluation based on a recent sale of the subject property along with an adjacent parcel¹ and comparable sales.

The Property Tax Appeal Board also takes notice pursuant to Section 1910.90(i) that the subject property was appealed the prior year to the Property Tax Appeal Board as Docket No. 07-01322.001-R-1. (86 Ill. Admin. Code Sec. 1910.90(i)) The Property Tax Appeal Board rendered a decision lowering the 2007

¹ The Residential Appeal form clearly indicates a parcel number of 18-08-261-004 and the Final Decision of the board of review was provided as to this parcel.

assessment of the subject property by finding that the sale of the subject property along with one most similar comparable represented the best evidence of the subject's fair market value. The 2007 assessment was reduced to \$2,330 to reflect the 2006 purchase price of \$7,000.

For this 2008 appeal, as to the sale price, the appellant submitted a copy of the Multiple Listing Service sheet and the closing statement. The Multiple Listing Service sheet disclosed an asking price of \$12,000 from a listing made in November 2005; on this sheet, there is a handwritten notation "Did not sell through MLS, so sold privately. Only asking 12K!" The Settlement Statement disclosed a sales price of \$7,000 for parcels 18-08-261-004, the subject, and another parcel identified as 18-08-261-005; no size or descriptive data for this parcel was presented.

In support of overvaluation based on comparable sales, the appellant submitted a grid analysis of three comparable sales with applicable Multiple Listing Service sheets. Two of the comparables were located in the same neighborhood code assigned by the assessor as the subject. The three comparables consist of two-story frame or frame and masonry old style dwellings that were built between 1899 and 1904. The dwellings range in size from 1,314 to 2,380 square feet of living area. Two comparables have unfinished basements; one comparable has a fireplace and each comparable has a garage ranging in size between 240 to 576 square feet of building area. These properties sold between February 2007 and May 2008 for prices ranging from \$9,000 to \$15,000 or from \$5.88 to \$7.32 per square foot of living area, land included.

Based on this evidence the appellant requested the subject's assessment be reduced to \$2,340 or a market value of approximately \$7,020.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject parcel number 18-08-261-004 totaling \$9,280 was disclosed. Based on its assessment, the subject has an estimated market value of \$27,843 or \$14.29 per square foot of living area, land included, based on 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 along with property record cards. None of the comparables were located in the same assessor's assigned neighborhood code as the subject. The comparables consist of two, two-story and one, one-story frame, duplex dwellings that were built between 1884 and 1900. The dwellings range in size from 1,533 to 2,260 square feet of living area. Each comparable has an unfinished basement; two comparables have one or two fireplaces and one comparable has a garage of 456 square feet of building area. These properties sold between January and July 2008 for prices ranging from \$30,000 to \$40,000

or from \$13.27 to \$22.83 per square foot of living area including land. Based on this evidence, the board of review requested the subject's estimated market value as reflected by its assessment be confirmed.

In written rebuttal, the appellant contends based on the property record card presented by the board of review, the subject property was purchased in March 2006 for \$7,000 and in July 2007 for \$6,000. Appellant also contended the subject is located in "South End" whereas the board of review's comparables were in the East Bluff or West Bluff; a map identifying the subject and comparables was included. Appellant also contended that board of review comparable #2 was actually a single family dwelling,² not a duplex like the subject and other comparables. Lastly, appellant submitted Multiple Listing Service sheets for the board of review comparables to support the contention there are improvements and amenities in these properties not enjoyed by 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 the appeal. The Board further finds the evidence in the record supports a reduction in the subject's assessment.

The appellant contends the subject's assessment should be reduced based on the sale of the subject along with an adjoining parcel and/or evidence of comparable sales. The Property Tax Appeal Board further takes notice of its decision in Docket No. 07-01322.001-R-1 reducing the 2007 assessment of the subject property to \$2,330 or a market value of approximately \$7,000. (86 Ill. Admin. Code Sec. 1910.90(i))

The evidence in this 2008 appeal disclosed that the subject and an adjacent parcel sold in March 2006 for a price of \$7,000. Appellant failed to supply any information as to whether the sale had the elements of an arm's length transaction; appellant failed to include and/or provide the data required in Section IV of the Residential Appeal form concerning the transaction. The appellant, however, submitted such data concerning the transaction in the 2007 appeal file and the Property Tax Appeal Board found the data sufficient, along with additional comparable data, to warrant a reduction in the subject's assessment reflective of the total 2006 purchase price of \$7,000.

In determining the correct assessment for the subject property as of 2008, the Board first takes notice based on the instant file and the previous year's appeal that the subject's final assessment by the Peoria County Board of Review for 2007 was \$8,960 and for 2008 was \$9,280 suggesting that an equalization

² Comments on the Multiple Listing Service sheet for the property included "2nd fl kitchenette off Master Bedroom would make ideal laundry room/walk-in closet."

factor of 1.0357 was applied to reflect a 2008 estimated market value. Based on the Property Tax Appeal Board's determination that the correct assessment of the subject property for 2007 was \$2,330 and that it appears for 2008 assessments in Peoria County were equalized by a factor of 1.0357, the Board will reduce the subject's 2008 assessment to reflect the 2007 assessment plus an equalization factor of 1.0357.

Based on the foregoing analysis, the subject property's assessment is found to be excessive in relation to its market value and the previous determination of the Property Tax Appeal Board. Therefore, a reduction in the subject's assessment 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

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: August 20, 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.