



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

APPELLANT: Robert & Patsy Hurst
DOCKET NO.: 08-02093.001-R-1
PARCEL NO.: 18-18-101-008

The parties of record before the Property Tax Appeal Board are Robert & Patsy Hurst, the appellants, 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: \$880
IMPR: \$8,583
TOTAL: \$9,463**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 62 year-old, one-story frame, cottage style dwelling that contains 676 square feet of living area. Features of the home include a full unfinished basement.

In writing, the parties presented no objection to a decision in this matter being 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 appellants through counsel submitted evidence to the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellants submitted a grid analysis of three comparable sales with applicable Multiple Listing Service sheets. The comparables consist of one-story or one and one-half-story frame cottage or old style dwellings that were built between 1900 and 1957. The dwellings range in size from 816 to 918 square feet of living area. Two comparables have full or partial unfinished basements and two comparables have

garages of 420 and 460 square feet, respectively. These properties sold between September 2007 and June 2008 for prices ranging from \$12,500 to \$17,000 or from \$14.74 to \$20.83 per square foot of living area, land included. Based on this evidence, the appellants requested the subject's assessment be reduced to \$4,200 or a market value of approximately \$12,600.

The board of review submitted its Board of Review Notes on Appeal wherein the subject's total assessment of \$9,960 was disclosed. Based on its assessment, the subject has an estimated market value of \$29,883 or \$44.21 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. The comparables were located in the same assessor's assigned neighborhood code as the subject. The comparables consist of one-story frame, cottage style dwellings that were built in 1946 or 1949. The dwellings contain 616 or 676 square feet of living area. One comparable has a full partially finished basement; one comparable has central air conditioning. Each comparable has a garage that ranges in size from 280 to 440 square feet of building area. These properties sold between July and December 2007 for prices ranging from \$28,000 to \$37,500 or from \$44.38 to \$55.47 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 rebuttal, the appellants argued the board of review's comparables have features not enjoyed by the subject such as garages. Appellants noted comparable #1 has since been repossessed and resold in October 2009 for \$18,000. Comparable #2 was on the market zero days and the seller and Realtor appear to be related according to appellants based on having the same last name of Hurst. Comparable #3 was improved prior to its October 2007 sale and since has been repossessed with an asking price of \$14,000.

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 a reduction in the subject property's assessment is warranted.

The appellants contend the assessment of the subject property is excessive and not reflective of its market value. 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 evidence in the record does support a reduction in the subject's assessment.

The Board finds the parties submitted six comparables for its consideration. The Board gave less weight to the appellants' comparable #3 because it was significantly older than the subject dwelling and was of a different design. The Board finds the appellant's comparables #1 and #2, despite being larger, along with the board of review's comparables were most similar to the subject in design, exterior construction, age and/or features and sold for prices ranging from \$14.74 to \$55.47 per square foot of living area, land included. The subject's estimated market value as reflected by its assessment of \$29,883 or \$44.21 per square foot of living area falls within this range, but is nearly identical to the sale price on a per-square-foot basis of board of review comparable #2 which has superior features of 450 square feet of basement finish and a 280 square foot garage not enjoyed by the subject. After considering the most comparable sales on this record along with adjustments and differences in both parties' comparables when compared to the subject, the Board finds the appellant did demonstrate the subject property's assessment to be excessive in relation to its market value and a reduction in the subject's assessment is warranted on this record.

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: July 23, 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.