



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

APPELLANT: Victor Johnson
DOCKET NO.: 08-02113.001-R-1
PARCEL NO.: 18-18-104-013

The parties of record before the Property Tax Appeal Board are Victor Johnson, 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: \$970
IMPR.: \$13,097
TOTAL: \$14,067

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 62 year-old, one-story, cottage style dwelling that contains 844 square feet of living area. Features of the home include central air conditioning, a partial unfinished basement and a 320 square foot garage.

The appellant appeared before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted the subject's property record card, as well as multiple listing sheets and a grid analysis of three comparable properties located in different neighborhood codes than the subject. The comparables consist of one-story or one and one-half-story cottage or "old" style dwellings that were built between 1900 and 1957 and range in size from 816 to 918 square feet of living area. Features of the comparables include full or partial unfinished basements. Two comparables have garages of 420 or 460 square feet of building area. These properties were described as being in fair condition and sold between September 2007 and June 2008 for prices of \$12,500 or \$17,000 or from \$14.74 to \$20.83 per square foot of living area including land. Based on this evidence, the

appellant requested the subject's assessment be reduced to \$6,000, reflecting a market value of approximately \$18,000.

The board of review submitted its Board of Review Notes on Appeal wherein the subject's total assessment of \$14,740 was disclosed. The subject has an estimated market value of \$44,491 or \$52.71 per square foot of living area including land, as reflected by its assessment and Peoria County's 2008 three-year median level of assessments of 33.13%.

In support of the subject's estimated market value as reflected by its assessment, the board of review submitted property record cards and a grid analysis of three comparable properties located in the same assessor's assigned neighborhood code as the subject. The comparables consist of one-story cottage style dwellings that were built in 1946 and contain 676 or 786 square feet of living area. All the comparables have central air conditioning, two have garages that contain 360 or 576 square feet of building area and one comparable has a full unfinished basement. Two comparables have no basements. These properties were described as being in "fair plus" condition and sold between September 2007 and July 2008 for prices ranging from \$32,000 to \$37,000 or from \$47.0 to \$54.59 per square foot of living area including land. Based on this evidence, the board of review requested the subject's assessment be confirmed.

In rebuttal, the appellant argued two of the board of review's comparables have features not enjoyed by the subject, that one comparable did not sell through the Multiple Listing Service and that two of these properties sold for prices below the subject's estimated market value on a per square foot basis.

After hearing the testimony 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 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 met this burden.

The Board finds the parties submitted six comparables for its consideration. The Board gave less weight to the appellant's comparable #3 because its 1.5-story design differed from the subject's one-story cottage style. The Board finds the appellant's comparables #1 and #2 and the board of review's comparables were similar to the subject in design, age, size and some features and sold for prices ranging from \$14.74 to \$54.59 per square foot of living area including land. The subject's estimated market value as reflected by its assessment of \$52.71

per square foot of living area including land falls within this range. However, the board of review's comparables #1 and #3 sold for prices of \$47.04 and \$47.34 per square foot of living area including land. Only the board of review's comparable #2, which has a basement and central air conditioning like the subject, but no garage, sold for a higher price than the subject's estimated market value as reflected by its assessment on a square foot basis. Moreover, the board of review's comparable #2 is approximately 25% smaller in living area when compared to the subject. Standard valuation theory holds that, all other things being equal, as a dwelling increases in size, its per square foot cost decreases. Based on this point, the Property Tax Appeal Board finds the subject's estimated market value as reflected by its assessment is not supported by the evidence in the record and a 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

K. L. Fern

Member

Frank A. Huff

Member

Mario Morris

Member

Acting 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: January 20, 2012

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.