



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

APPELLANT: Victor Johnson  
DOCKET NO.: 08-02131.001-R-1  
PARCEL NO.: 17-13-277-006

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 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:     \$   790**  
**IMPR.:    \$ 10,080**  
**TOTAL:    \$ 10,870**

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a one-story dwelling of frame construction containing 780 square feet of living area. The dwelling was built in 1949. Features include central air conditioning and a garage.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. The appellant indicated the subject sold for \$15,000 in March of 2005 after being listed on MLS. The appellant reportedly spent \$4,200 on renovations after purchasing the subject. Also in support of the claim the appellant submitted information on three comparable properties. The appellant's comparables consist of one-story frame dwellings. They were built in 1949 or 1950. They contain 600 to 720 square feet of living area. Two have central air conditioning, and one of those also has a garage. The comparables sold from March to December 2007 for \$25,000 to \$28,500 or \$34.72 to \$47.50 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 \$10,870 was disclosed. The subject's assessment reflects an estimated market

value of \$32,810 or \$42.06 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 six comparable properties. They consist of one-story frame dwellings that were built in 1949 or 1950. The dwellings have 616 to 780 square feet of living area. Three have central air conditioning, three have garages, and one has a basement. The board of review's comparables sold from July 2007 to June 2008 for \$24,000 to \$32,000 or \$32.00 to \$45.45 per square foot of living area including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal the appellant provided MLS listing sheets related to the board of review's comparables and highlighted their differences from the subject. The appellant pointed out that the board of review's comparables #1 and #5 spent zero days on the market. Finally, 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 (2<sup>nd</sup> Dist. 2000). After an analysis of the evidence, the Board finds the appellant has not met this burden.

The Board finds the March 2005 sale of the subject too remote in time from the January 1, 2008, assessment date to be indicative of the subject's market value on the assessment date. The record also contains nine suggested comparable sales for the Board's consideration. The board of review's comparables #1 and #5 spent zero days on the market and cannot be considered arm's-length transactions indicative of market value. The other seven comparables are similar to the subject in most property characteristics and sold for \$24,000 to \$32,000 or \$32.00 to \$47.50 per square foot of living area including land. The subject's estimated market value of \$32,810 or \$42.06 per square foot of living area including land is well within that range and is much lower than the \$47.50 per-square-foot sale price of the appellant's own comparable #3. 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.

*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: December 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.