



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

APPELLANT: Ronald Hillman
DOCKET NO.: 08-02148.001-R-1
PARCEL NO.: 18-05-428-031

The parties of record before the Property Tax Appeal Board are Ronald Hillman, 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 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: \$ 3,040
IMPR.: \$ 12,880
TOTAL: \$ 15,920**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story, duplex dwelling of frame construction containing 2,116 square feet of living area. The dwelling was built in 1865. 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. They are located within five blocks of the subject. The appellant's comparables consist of two-story frame dwellings. They were built from 1900 to 1924. They contain 2,186 to 2,260 square feet of living area. Each has a basement, one has central air conditioning, two have fireplaces, and two have garages. The comparables sold from October 2007 to February 2008 for \$15,000 to \$30,000 or \$6.86 to \$13.59 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 \$15,920 was disclosed. The subject's assessment reflects an estimated market value of \$48,053 or \$22.71 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 three comparable properties. One is located in an area with the same neighborhood code as the subject. They consist of two-story frame dwellings that were built from 1895 to 1900. The dwellings have 1,962 to 2,395 square feet of living area. All have basements, one has central air conditioning and a fireplace, and one has a garage. The board of review's comparables sold from November 2007 to May 2008 for \$40,000 to \$62,000 or \$19.23 to \$31.60 per square foot of living area including land. The board of review also included an MLS listing sheet for the subject that indicates the subject was listed for sale for \$59,900 or \$28.31 per square foot of living area including land on June 29, 2009, and that at the time of listing both units were rented under one-year leases. 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 indicated the board of review's comparables #1 and #2 are located in the East Bluff area of the city while the subject is in the West Bluff. The appellant indicated that the board of review's comparable #2 is a single-family dwelling. The appellant also provided an MLS sheet for a March 2005 sale of the board of review's comparable #3 for \$10,000 and an MLS sheet for the November 2007 sale of that property for \$62,000 that included a long list of the new improvements to that comparable. The appellant included the MLS listing of the subject the board of review had offered into evidence and indicated on the face of the listing sheet that the subject had no updates and that it was still unsold after 284 days on the market. The appellant also 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 for the Board's consideration. The appellant's comparable #2 does not appear to be a duplex as it only has one full bath. The board of review's comparables #1 and #2 are in a different area of town from the subject, and #2 also is a single-family dwelling. The

board of review's comparable #3 had new windows, siding, air conditioning, water heater, plumbing, electrical, kitchen, bathrooms, flooring, lighting and front porch prior to its sale. The remaining two comparables sold for \$29,900 and \$30,000 or \$13.27 and \$13.59 per square foot of living area including land. The subject's estimated market value of \$48,053 or \$22.71 per square foot of living area including land is higher than those. However, both of the appellant's comparables sold "as is." In contrast, the subject was put on the market in June 2009 for \$59,900 or \$28.31 per square foot of living area including land in a fully rented condition with no improvements made to the subject. More than nine months later it was still listed for sale at the same \$59,900, which is considerably higher than the estimated market value of the subject based on its current assessment. The listing price only sets an upper bound on the market value of the subject, but the fact it remained on the market for such an extended period of time without any change in the offering price provides some indication of the firmness of the belief by the owner that the offering price is near its market value. 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.