



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

APPELLANT: Lyle Fricke  
DOCKET NO.: 08-02161.001-R-1  
PARCEL NO.: 14-33-155-015

The parties of record before the Property Tax Appeal Board are Lyle Fricke, 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: \$3,120  
IMPR.: \$18,940  
TOTAL: \$22,060**

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a one and one-half story dwelling of frame construction containing 1,398 square feet of living area. The dwelling was built in 1930. Features include a 1/4 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 four comparable properties. They are located from three to 10 blocks from the subject. The appellant's comparables consist of one and one-half story or two-story frame dwellings. They were built from 1900 to 1935. They contain 1,280 to 1,488 square feet of living area. All have basements, one has central air conditioning, and one has a garage. The comparables sold from April 2007 to April 2008 for \$21,000 to \$36,000 or \$16.40 to \$25.32 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 \$22,060 was disclosed. The subject's assessment reflects an estimated market value of \$66,586 or \$47.63 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 are located from 0.088 mile to 0.663 mile from the subject. They consist of one and one-half story frame dwellings. They were built from 1911 to 1930. The dwellings have 1,256 to 1,560 square feet of living area. All have basements, five have central air conditioning and garages, and three have fireplaces. The board of review's comparables sold from May 2007 to August 2008 for \$63,000 to \$96,000 or \$46.32 to \$68.97 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 offered MLS listing sheets for the board of review's comparables and highlighted differences between the subject and the board of review's comparables. 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 record contains ten suggested comparable sales for the Board's consideration. The appellant's comparable #2 is of a different design than the subject. The remaining nine comparables are similar to the subject in size and design. They sold for \$32,500 to \$96,000 or \$22.75 to \$68.97 per square foot of living area including land. The subject's estimated market value of \$66,586 or \$47.63 per square foot of living area including land is about in the middle of that range. It is lower than all but one of the board of review's six comparables, which generally have better amenities, and is higher than the three remaining comparables submitted by the appellant, two of which were sold "as is" and/need some "TLC." 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 M. Louie*

Member

*Shawn P. Lerski*

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.