



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

APPELLANT: Kent Jones
DOCKET NO.: 08-02180.001-R-1
PARCEL NO.: 14-33-476-082

The parties of record before the Property Tax Appeal Board are Kent Jones, 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: \$2,540
IMPR.: \$14,280
TOTAL: \$16,820**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 92 year-old, one-story bungalow style dwelling of frame exterior construction that contains 1,018 square feet of living area. The home features a full unfinished basement and a 240 square foot garage.

Through his attorney, the appellant submitted evidence to the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted Multiple Listing Service data sheets and a grid analysis of three comparable properties. Proximity of the comparables to the subject was not indicated, but they are in different neighborhood codes as assigned by the township assessor. The comparables consist of two-story or one-story frame dwellings that were built between 1880 and 1930 and range in size from 1,128 to 1,306 square foot of living area. Features of the comparables include full or partial unfinished basements and garages that contain from 200 to 360 square feet of building area. The comparables were reported to have sold between January and March 2007 for prices ranging from \$23,000 to \$29,900 or from \$20.39 to \$25.87

per square foot of living area including land. Based on this evidence the appellant requested the subject's total assessment be reduced to \$8,400, reflecting a market value of approximately \$25,200.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$16,820 was disclosed. The subject has an estimated market value of approximately \$50,770 or \$49.87 per square foot of living area including land, as reflected by its assessment and the Peoria County 2008 three-year median level of assessments of 33.13%.

In support of the subject's assessment, the board of review submitted property record cards and a grid analysis of five comparable properties located in the same neighborhood code as the subject, as determined by the township assessor. The comparables consist of one-story, bungalow or cottage style frame dwellings that were built between 1914 and 1924 and range in size from 816 to 1,196 square feet of living area. All the comparables have central air conditioning and full basements, one of which is finished as a recreation room and four comparables have garages that contain from 396 to 576 square feet of building area. The comparables sold between November 2006 and February 2008 for prices ranging from \$39,900 to \$67,900 or from \$48.90 to \$65.97 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 submitted Multiple Listing Service data sheets for the board of review's comparables and asserted they have improvements and updates not enjoyed by the subject, that one comparable did not sell through the Multiple Listing Service and that one sold several time in recent years for considerably less than the sale relied on by the board of review. Finally, the appellant argued it is unfair to compare owner-occupied homes with rental properties. The appellant did not indicate with credible market evidence how the amenities may have impacted the comparables' market values or assessments.

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 no 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 failed to meet this burden.

The Board finds the parties submitted eight comparables in support of their respective arguments. The Board gave less

weight to the appellant's comparable 1 because its age and two-story design differed from the subject. The Board also gave less weight to the appellant's comparable #2 and the board of review's comparables #3 and #4 because these properties differed significantly in living area when compared to the subject. The Board finds the remaining comparables were similar to the subject in design, exterior construction, living area and some features and sold for prices ranging from \$25.87 to \$58.15 per square foot of living area including land. The subject's estimated market value as reflected by its assessment of \$49.87 per square foot of living area including land falls within this range. Therefore, the Board finds the evidence in the record supports the subject's assessment.

In conclusion, the Board finds the appellant has failed to prove overvaluation by a preponderance of the evidence and the subject's assessment as determined by the board of review is correct 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: January 21, 2011

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.