



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

APPELLANT: Shawn Cully
DOCKET NO.: 08-02597.001-R-1
PARCEL NO.: 18-04-231-035

The parties of record before the Property Tax Appeal Board are Shawn Cully, the appellant, by attorney Clyde B. Hendricks of 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: \$2,040
IMPR.: \$12,960
TOTAL: \$15,000

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a two-story single family dwelling with 1,874 square feet of living area. Features of the property include a basement, central air conditioning and a detached 360 square foot garage. The dwelling was constructed in 1900.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted sales data on three comparable properties improved with two, two-story dwellings and a one-story dwelling with finished attic area that range in size from 1,176 to 1,764 square feet of living area. The dwellings were constructed from 1900 to 1920. Each comparable had a basement and two have detached garages that have either 264 or 576 square feet. The sales occurred from June 2007 to June 2008 for prices ranging from \$17,500 to \$27,500 or from \$14.88 to \$22.53 per square foot of living area. Based on this evidence the appellant requested the subject's assessment be reduced to \$7,000.

The board of review (BOR) submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$16,650 was disclosed. The subject's assessment reflects a

market value of \$50,257 or \$26.82 per square foot of living area, land included, using the 2008 three year average median level of assessments for Peoria County of 33.13%. In support of the assessment the BOR submitted information on five comparables composed of a 1.5-story and four, 2-story dwellings that range in size from 1,480 to 2,056 square feet of living area. Each comparable has a basement, three comparables have central air conditioning and three comparables have detached garages that range in size from 400 to 672 square feet. The dwellings were constructed in 1900 and 1910. The sales occurred from March 2007 to April 2008 for prices ranging from \$31,300 to \$62,500 or from \$19.96 to \$33.78 per square foot of living area, including land. Based on this evidence, the BOR requested the assessment of the subject be reduced to \$15,000 to reflect a market value of approximately \$45,000, which would equate to a value of \$24.01 per square foot of living area, land included.

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 the appeal. The Board further finds a reduction in the subject's assessment is supported by the evidence in the record.

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property 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). The Board finds the sales data in the record supports a reduction in the subject's assessment.

The record contains information on 8 comparable sales submitted by the parties. Appellant's comparables #2 and #3 were given no weight due to their size relative to the subject. The six remaining sales were relatively similar to the subject in style, age and size. These comparables sold for unit prices ranging from \$15.59 to \$33.78 per square foot of living area. The subject's assessment reflects a market value of \$50,257 or \$26.82 per square foot of living area, land included, using the 2008 three year average median level of assessments for Peoria County of 33.13%, which is within the range established by the best comparables on a square foot basis. Nevertheless, considering its own comparables, the BOR recommended the subject's assessment be reduced to \$15,000. Based on this record and recommendation the Board finds a reduction in the subject's assessment is appropriate.

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 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: April 22, 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.