



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

APPELLANT: Kent Jones
DOCKET NO.: 08-02636.001-R-1
PARCEL NO.: 18-03-185-006

The parties of record before the Property Tax Appeal Board are Kent Jones, the appellant; 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: \$850
IMPR: \$7,050
TOTAL: \$7,900**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a one-story aluminum or vinyl exterior dwelling containing 1,184 square feet of living area that was built in 1928 with a full, unfinished basement. Features include air-conditioning and a detached garage.

The appellant appeared before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal using a recent purchase claim and comparable sales.¹ In support of the recent purchase claim, the appellant submitted information on the Property Tax Appeal form. Section IV of the appeal petition depicts the subject was purchased in May 2007 for \$19,000. Information regarding advertisement was not disclosed. For the comparable sales claim, the appellant submitted three comparable sales, multiple listing sheets and property record cards. All of the comparables are located in different assessment neighborhood code than the subject, as defined by the local assessor. The proximity of location to the subject for each comparable was not

¹ Appellant's counsel withdrew from the appeal immediately prior to the hearing herein.

disclosed. The comparables consist of one-story aluminum or vinyl exterior dwellings that were built from 1922 to 1929 and range in size from 866 to 1,000 square feet of living area. Each comparable has a full, unfinished basement, one has air-conditioning and one has a detached garage. The comparables sold from October 2007 to January 2008 for prices ranging from \$15,000 to \$27,000 or from \$15.00 to \$30.60 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 \$7,900 was disclosed. The subject's assessment reflects an estimated market value of approximately \$23,845 or \$20.14 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 submitted property record cards, a memorandum, map and a market grid analysis of three comparable sales. One comparable is located in the subject's assessment neighborhood code, as defined by the local assessor. They are located from 0.169-mile to 0.653-mile from the subject. The comparables consist of one-story aluminum or vinyl exterior dwellings that were built from 1919 to 1933 and contain from 868 to 1,176 square feet of living area. Each comparable has a partial or full unfinished basement. One comparable has a garage. The comparables sold from January 2007 to June 2008 for prices ranging from \$24,000 to \$30,000 or from \$22.96 to \$29.01 per square of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 Board further finds a reduction in the subject's assessment is not warranted.

The appellant argued the subject property 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 met not this burden.

The Board initially finds the appellant failed to submit sufficiently detailed information regarding the subject's recent purchase in 2007. The appellant failed to disclose the method of advertisement and number of days on the market. The board of review submitted a Real Estate Transfer Declaration sheet which depicts the subject was not advertised for sale. In order for the sales price of property to be used to establish the fair cash value for assessment purposes, the transaction must be arm's length in nature. One of the elements of an arm's length transaction requires a reasonable time being allowed for exposure on the open market. Property Assessment Valuation, 2nd ed.,

International Association of Assessment Officers, 1996, pp. 18-19. Therefore, the Property Tax Appeal Board finds the sale did not include all of the necessary elements of an arm's length transaction and may not be indicative of the subject's fair market value. The Board gave this recent purchase little weight in its analysis.

The Board further finds the record contains six suggested comparable sales for the Board's consideration. The Board gave less weight in its analysis to the comparables submitted by the appellant. These comparables were dissimilar to the subject in location and/or size when compared to the subject. The proximity of each comparable to the subject was not disclosed. The Board also gave less weight to comparable #3 submitted by the board of review. This comparable was also dissimilar to the subject in location and size. The Property Tax Appeal Board finds the remaining two comparables submitted by the board of review are more similar to the subject in age, size, design, location and/or features. They were located within 0.595 mile of the subject. They sold for prices of \$27,000 and \$30,000 or \$22.96 and \$29.01, respectively, per square foot of living area, including land. The subject's assessment reflects an estimated market value of approximately \$23,845 or \$20.14 per square foot of living area including land, which falls below the two most similar comparable sales contained in this record on a per square foot basis. After considering adjustments to the comparables for any differences when compared to the subject, the Property Tax Appeal Board finds the subject's estimated market value as reflected by its assessment is supported and a reduction is not 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.