



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

APPELLANT: Jing Liu
DOCKET NO.: 08-02664.001-R-1
PARCEL NO.: 14-2-15-21-04-403-095

The parties of record before the Property Tax Appeal Board are Jing Liu, the appellant, and the Madison 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 **Madison** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$15,300
IMPR.: \$74,840
TOTAL: \$90,140

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a two-story single family dwelling that has 2,505 square feet of living area.¹ The dwelling was constructed in 2002 and has a vinyl siding and brick exterior. Features of the home include a full basement that is partially finished, central air conditioning, one fireplace and a three-car attached garage. The subject has a 10,400 square foot parcel and is located in Edwardsville, Edwardsville Township, Madison County.

The appellant contends both assessment inequity and overvaluation. In support of the inequity argument the appellant provided one comparable improved with a two-story dwelling located next door to the subject. The comparable is similar to the subject in age and construction. Using the property record card and excluding the integral garage area, the comparable has 2,314 square feet of living area. The comparable has a partial basement, central air conditioning, one fireplace and a two-car garage. This property has a total assessment of \$81,870, a land assessment of \$15,300 and an improvement assessment of \$66,570 or

¹ The size of the subject dwelling is based on the subject's property record card and the schematic diagram of the subject contained in the appraisal submitted by the appellant.

\$28.77 per square foot of living area. This property also sold in August 2008 for a price of \$251,000 or \$108.47 per square foot of living area.

In further support of the overvaluation argument the appellant submitted an appraisal estimating the subject had a market value of \$260,000 as of October 15, 2008. The appraiser developed both the cost and sales comparison approaches to value. The purpose of the appraisal was to provide the lender/client with an accurate and adequately supported opinion of market value. The report indicated the appraisal is intended for use in a mortgage finance transaction only and not intended for any other use.

In the report the appraiser indicated the subject had 2,694 square feet of living area; however, the schematic diagram of the subject indicated the dwelling had 2,507 square feet of living area. Under the cost approach the appraiser estimated the subject had an indicated market value of \$302,767. In the sales comparison approach the appraiser used three comparables improved with two-story dwellings of brick and vinyl exterior construction. The appraiser indicated the dwellings ranged in size from 2,475 to 2,793 square feet of living area and in age from 8 to 20 years old. Each had a full basement with two being partially finished. Each comparable had central air conditioning, a fireplace and a two or three-car attached garage. Two comparables were located in Edwardsville and one was located in Glen Carbon. These properties sold from February 2008 to September 2008 for prices ranging from \$253,900 to \$270,000. After making adjustments to the comparables for differences from the subject the appraiser indicated these properties had adjusted prices ranging from \$255,420 to \$274,140. Based on these sales the appraiser was of the opinion the subject had a market value of \$260,000 using the sales comparison approach.

In reconciling the two approaches to value the appraiser estimated the subject had a market value of \$260,000 as of October 15, 2008.

The evidence further revealed that the appellant filed the appeal directly to the Property Tax Appeal Board following receipt of the notice of an equalization factor increasing the subject's assessment from \$87,330 to \$90,140. The notice indicated the equalized assessment reflected a market value of \$270,420 which equates to \$107.95 per square foot of living area, including land. Based on this evidence the appellant requested the subject's assessment be reduced to \$83,160.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$90,140 was disclosed.

To demonstrate the subject was being correctly assessed the board of review submitted an analysis using three comparables and copies of their respective property record cards. The comparables included the appellant's comparable used to support

the inequity argument and comparable sales #2 and #3 contained in the appellant's appraisal. The primary difference between the description of comparables #2 and #3 from the appraisal was with reference to the size. The board of review indicated these two comparables had 2,522 and 2,234 square feet of above grade living area, respectively. The board of review indicated the comparables sold from July 2008 to September 2008 for prices ranging from \$251,000 to \$270,000 or from \$107.06 to \$114.37 per square foot of living area. These same comparables had land assessments ranging from \$9,670 to \$15,300 and improvement assessments ranging from \$66,570 to \$82,270 or from \$28.77 to \$36.46 per square foot of living area. The subject has an improvement assessment of \$29.88 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 the evidence in the record does not support a reduction in the subject's assessment.

The appellant argued in part overvaluation based on an appraisal. 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 in the record demonstrate the subject's assessment is reflective of the property's market value.

In support of the overvaluation argument the appellant submitted an appraisal estimating the market value of the subject property was \$260,000 as of October 15, 2008. The Board finds, however, the appraisal indicated the report was prepared for refinancing and the purpose of the appraisal was to provide the lender/client, which was the Bank of Edwardsville, with an accurate and adequately supported opinion of market value. The report indicated the appraisal is intended for use in a mortgage finance transaction only and not intended for any other use. Furthermore, the appraiser had the incorrect size of the subject dwelling in his analysis. As a result of these issues, the Property Tax Appeal Board gives less weight to the conclusion of value within the report. However, the Board will consider the sales provide by the appraiser.

The record contains four sales provided by the parties in support of their respective positions. The comparables were improved with two-story dwellings that were similar to the subject in style, construction and features. The Board finds the size estimate for the common comparables submitted by both parties was better supported by the data provided by the board of review. The comparables ranged in size from 2,234 to 2,793 square feet of living area and in age from 7 to 20 years old. The comparables sold from February 2008 to September 2008 for prices ranging from \$251,000 to \$270,000 or from \$90.91 to \$114.37 per square foot of

above grade living area, including land. The subject's assessment reflects a market value of \$270,420 which equates to \$107.95 per square foot of living area, including land, which is within the range on a square foot basis established by the comparables. Based on this record the Board finds the subject's assessment is not excessive in relation to the property's market value.

The appellant also argued assessment inequity as a basis of the appeal. Taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessments by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data the Board finds a reduction is not warranted on this basis.

The record has three comparables submitted by the parties used to support their respective arguments. These properties had improvement assessments ranging from \$28.77 to \$36.46 per square foot of above grade living area. The subject has an improvement assessment of \$29.88 per square foot of above grade living area, which is within the range established these comparables on a square foot basis. The Board finds this data demonstrates the subject dwelling is being equitably assessed.

With respect to the land assessment, the Board finds one comparable was located next door to the subject with a parcel that was identical in size as the subject site. Both the subject and the best comparable in the record had identical land assessments of \$15,300. The Board finds this evidence demonstrates the subject land is being equitably assessed.

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

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: February 18, 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.