



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

APPELLANT: Merle & Carol Huff
DOCKET NO.: 08-02876.001-R-1
PARCEL NO.: 14-31-231-010

The parties of record before the Property Tax Appeal Board are Merle & Carol Huff, the appellants, 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 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: \$3,470
IMPR.: \$20,830
TOTAL: \$24,300

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 58 year-old, cottage style frame dwelling that contains 864 square feet of living area. Features of the home include a 336 square foot detached garage. The subject is located in Peoria, City of Peoria Township, Peoria County.

The appellants appeared before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellants submitted Multiple Listing Service data sheets and a grid analysis of three comparable properties. The comparables consist of one-story, ranch style frame dwellings that were built in 1952 and range in size from 720 to 1,344 square feet of living area. Two comparables have central air conditioning and detached garages that contain 299 and 308 square feet of building area, respectively. One comparable has a full unfinished basement. The comparables were reported to have sold between May 2007 and July 2008 for prices ranging from \$48,000 to \$55,000 or from \$40.92 to \$75.00 per square foot of living area including land. Based on this evidence the appellants requested

the subject's total assessment be reduced to \$16,670, reflecting a market value of approximately \$50,010.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$24,950 was disclosed. The subject has an estimated market value of approximately \$75,309 or \$87.16 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 near the subject. The comparables consist of one-story, ranch or cottage style frame or brick dwellings that were built between 1950 and 1954 and range in size from 780 to 880 square feet of living area. All the comparables have garages that contain from 280 to 320 square feet of building area, four comparables have central air conditioning and three comparables have full basements, two of which have recreation areas of 187 and 416 square feet. The board of review's grid depicts the subject as having a full unfinished basement. However, the subject's property record card indicates the subject has no basement. The comparables sold between July 2007 and November 2008 for prices ranging from \$65,000 to \$87,000 or from \$82.18 to \$98.86 per square foot of living area including land. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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 property's assessment is warranted.

The appellants contend 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 appellants met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the parties submitted eight comparables in support of their respective arguments. The Board gave less weight to the appellant's comparable #3 because it was significantly larger in living area when compared to the subject. The Board finds the remaining comparables were similar to the subject in design, age, size and some features and sold for prices ranging from \$48,000 to \$87,000 or from \$59.40 to \$98.86 per square foot of living area including land. The subject's estimated market value as reflected by its assessment of \$75,309 or \$87.16 per square foot of living area including land falls within this range. However, the Board finds just two of the comparables submitted by the parties had sales prices greater

than the subject's estimated market value on a per square foot basis, but these two properties also have central air conditioning and full basements with finished recreation areas, features not enjoyed by the subject. After considering adjustments for the differences in both parties' suggested comparables when compared to the subject property, the Board finds the subject's estimated market value as reflected by its assessment is not supported by the most comparable properties contained in the record and a 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.

Donald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario Morris

Member

J. R.

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 24, 2012

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.