



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

APPELLANT: Merle & Carol Huff
DOCKET NO.: 08-02882.001-R-1
PARCEL NO.: 18-05-328-040

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: \$5,550
IMPR.: \$32,440
TOTAL: \$37,990

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 94 year-old, two-story triplex style frame dwelling that contains 2,377 square feet of living area. The home has a full basement with 500 square feet of finished area and 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 a grid analysis of three comparable properties, two of which are located in the same neighborhood code as the subject, as determined by the township assessor. The comparables consist of one-story or two-story bungalow or "old style" frame dwellings that were built between 1909 and 1919 and range in size from 1,284 to 1,654 square feet of living area. All the comparables have full unfinished basements and two comparables have central air conditioning, a fireplace and garages that contain 440 or 484 square feet of building area. The comparables were reported to have sold between January 2007 and May 2008 for prices ranging from \$56,000 to \$79,900 or from \$43.61 to \$48.31 per square foot of living

area including land. Based on this evidence the appellants requested the subject's total assessment be reduced to \$18,000, reflecting a market value of approximately \$54,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$46,340 was disclosed. The subject has an estimated market value of approximately \$139,873 or \$58.84 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 three comparable properties, two of which are located in the same neighborhood code as the subject, as determined by the township assessor, and one of which is next door to the subject. The comparables consist of two-story or one-story duplex or triplex style frame dwellings that were built between 1904 and 1964 and range in size from 1,896 to 2,389 square feet of living area. All the comparables have full basements, one of which has 624 square feet of finished area and two comparables have central air conditioning and garages that contain 360 or 600 square feet of building area. The comparables sold between April 2006 and May 2008 for prices ranging from \$103,500 to \$132,000 or from \$54.59 to \$57.45 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 appellants argued the board of review's comparables sold either too long before or too long after the subject's January 1, 2008 assessment date, and one has a superior location when compared to the subject.

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

The Board finds the parties submitted six comparables in support of their respective arguments. The Board gave less weight to the appellants' comparables and the board of review's comparable #3 because they differed in living area, story height and/or age when compared to the subject. The Board finds the board of review's comparables #1 and #2 were similar to the subject in design, age, size and some features and sold for prices of

\$119,500 and \$132,000 or \$55.25 and \$57.45 per square foot of living area including land. The subject's estimated market value as reflected by its assessment is \$139,873 or \$58.84 per square foot of living area including land. After considering adjustments for the differences in both parties' suggested comparables when compared to the subject property, the Board finds the subject's 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.