



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

APPELLANT: Fisher Bros. Properties LLC
DOCKET NO.: 08-02990.001-R-1
PARCEL NO.: 14-34-485-027

The parties of record before the Property Tax Appeal Board are Fisher Bros. Properties LLC, the appellant, 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 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: \$ 1,610
IMPR.: \$ 8,000
TOTAL: \$ 9,610

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story dwelling of frame construction containing 1,207 square feet of living area including a finished attic area. The dwelling was built in 1900. Features include a basement and central air conditioning.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of the claim the appellant submitted information on three comparable properties. The appellant's comparables consist of one-story dwellings with finished attic areas or one and one-half story dwellings. One is a duplex. They are of frame construction. They were built from 1919 to 1930. They contain 946 to 2,281 square feet of living area. All have basements, and one has central air conditioning. The comparables sold from January to September 2007 for \$17,000 to \$23,500 or \$7.45 to \$24.84 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 \$9,610 was disclosed. The subject's assessment reflects an estimated market value of \$29,007 or \$24.03 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 presented descriptions and sale price information on three comparable properties. They consist of one-story dwellings with finished attic areas. They are of frame construction and were built from 1900 to 1928. The dwellings have 1,156 to 1,456 square feet of living area. All have basements, garages and central air conditioning. The board of review's comparables sold from April 2007 to April 2008 for \$29,500 to \$39,500 or \$20.26 to \$34.17 per square foot of living area including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal the appellant provided MLS listing sheets related to the board of review's comparables and highlighted differences between the comparables and the subject. The appellant also argued that it is unfair to compare owner-occupied homes with rental properties such as the subject.

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

The appellant argued the subject 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 not met this burden.

The record contains six suggested comparable sales for the Board's consideration. The appellant's comparable #1 is much larger than the subject, and the appellant's comparable #2 is a duplex. The remaining comparables are similar to the subject in size and design, although the board of review's comparables have garages not enjoyed by the subject. These four comparables sold for \$23,500 to \$39,500 or \$20.26 to \$34.17 per square foot of living area including land. The subject's estimated market value of \$29,007 or \$24.03 per square foot of living area including land is well within that range and is lower than the \$24.84 per-square-foot assessment of the appellant's comparable #3, which is most similar to the subject in amenities. After considering the evidence the Board finds the appellant has not proven by a preponderance of the evidence that the subject is overvalued and no 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.

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.