



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

APPELLANT: Danchano Land Trust
DOCKET NO.: 08-03024.001-R-1
PARCEL NO.: 18-14-31-347-014

The parties of record before the Property Tax Appeal Board are Danchano Land Trust, the appellant; and the Stephenson 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 Stephenson County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$1,529
IMPR: \$8,340
TOTAL: \$9,869

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 6,200 square foot parcel improved with a 101 year-old, two-story style frame dwelling that contains 1,488 square foot of living area. Features of the home include a full unfinished basement and a two-car garage that contains 420 square feet of building area. The subject is located in Freeport, Freeport Township, Stephenson County.

The appellant appeared before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted a grid analysis of three comparable properties located 7 to 12 blocks from the subject. The comparables were described as two-story frame dwellings that were built between 1877 and 1907 and range in size from 1,224 to 1,550 square feet of living area. All the comparables have full unfinished basements, two have one-car or two-car garages and one has central air conditioning. These properties were reported to have sold from March to December 2008 for prices ranging from \$13,500 to \$19,000 or from \$10.06 to \$12.26 per square foot of living area including land. Based on this evidence the appellant requested the subject's total assessment be reduced to \$5,513,

reflecting a market value of approximately \$16,539 or \$11.12 per square foot of living area, land included.

During the hearing, the appellant argued the comparables he submitted were more similar to the subject than the board of review's comparables, based on his inspection.

In cross-examination, the appellant acknowledged the subject was listed for sale in 2010 for approximately \$30,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$9,869 was disclosed. The subject has an estimated market value of approximately \$29,834 or \$20.05 per square foot of living area including land, as reflected by its assessment and the Stephenson County 2008 three-year median level of assessments of 33.08%.

In support of the subject's estimated market value as reflected by its, the board of review submitted numerous exhibits, property record cards and a grid analysis of ten comparable properties located two to seven blocks from the subject, three of which are located on the subject's street. The comparables consist of two-story style dwellings that were built between 1891 and 1944 and range in size from 1,204 to 1,832 square feet of living area. All the comparables have full unfinished basements, three have central air conditioning, one has a fireplace and eight have one-car or two-car garages. The comparables sold from March 2006 to July 2008 for prices ranging from \$23,500 to \$61,500 or from \$19.52 to \$42.74 per square foot of living area including land. Based on this evidence, the board of review requested the subject's assessment be confirmed.

During the hearing, the board of review's representative called deputy township assessor Meta Ridgway as a witness. The witness testified board of review comparables #1, #6 and #10 had "condition issues" like the subject. Ridgway testified the appellant's adjustments were not reasonable, nor were they substantiated with evidence from the market.

In rebuttal, the appellant made various adjustments to his own comparables, as well as the board of review's comparables, for condition, driveways, garage size and condition, off-street parking, basement finish, fences, updates and remodeling and other features. The appellant further asserted that any board of review comparables that sold prior to 2008 were invalid for comparison to the subject. The appellant asserted that his adjustments were correct based on his experience as a realtor, but submitted no evidence from the market to support the adjustments.

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 Property Tax Appeal Board further finds no reduction in the subject property's assessment is warranted.

The appellant contends overvaluation as the basis of the appeal. When market value is the basis of the appeal, the value 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). After analyzing the market evidence submitted, the Board finds the appellant has failed to meet this burden.

The Board finds the parties submitted thirteen comparables for its consideration. The Board gave less weight to the appellant's comparable #1 and the board of review's comparables #1, #2, #9 and #10 because these properties differed significantly in living area when compared to the subject. The Board also gave less weight to the board of review's comparables #3, #4 and #7 because their sale dates were too distant from the subject's January 1, 2008 assessment date to reliably indicate a value for the subject. The Board finds the remaining comparables were similar to the subject in design, location and most features and sold for prices ranging from \$14,000 to \$47,900 or from \$10.06 to \$29.31 per square foot of living area including land. The subject's estimated market value as reflected by its assessment of \$20.05 per square foot of living area including land falls within this range. The Board gave little weight to the appellant's adjustments because they were not supported with credible market evidence. Therefore, the Board finds the evidence in the record supports the subject's assessment.

In conclusion, the Board finds the appellant has failed to prove overvaluation by a preponderance of the evidence and the subject's assessment as determined by the board of review is correct 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 M. Louie

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: August 19, 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.