



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

APPELLANT: Lyle Fricke  
DOCKET NO.: 08-03026.001-R-1  
PARCEL NO.: 14-30-427-012

The parties of record before the Property Tax Appeal Board are Lyle Fricke, the appellant, by attorney Clyde B. Hendricks of 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:** \$3,440  
**IMPR.:** \$32,720  
**TOTAL:** \$36,160

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of one-story dwelling with finished attic that contains 1,939 square feet of living area. Features of the property included a basement, central air conditioning and a fireplace. The dwelling has brick exterior construction and was built in 1939.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted sales data on three comparable properties improved with two, 1½-story single family dwellings and a one-story dwelling that range in size from 1,163 to 1,293 square feet of living area. The dwellings were constructed from 1940 to 1950. Two comparables have basements, each comparable has central air conditioning and one comparable has a detached garage with 360 square feet of building area. The appellant indicated the subject had a C+5 grade while the comparables had grades of a D+5, C and C-5, respectively. To further document the sales the appellant submitted copies of the multiple listing service (MLS) sheets associated with each sale. The sales occurred from February 2007 to November 2007 for prices ranging from \$64,000 to \$78,000 or from \$55.03 to \$60.32 per square foot of living area. Based on this evidence the appellant requested the subject's assessment be reduced to \$26,000.

The board of review (BOR) submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$39,050 was disclosed. The subject's assessment reflects a market value of approximately \$117,869 or \$60.79 per square foot of living area, land included, using the 2008 three year average median level of assessments for Peoria County of 33.13%. In support of its contention of the correct assessment the BOR submitted information on two, one-story dwellings and a 1½-story dwelling that range in size from 1,384 to 1,744 square feet of living area. Each comparable has a basement, each comparable has central air conditioning, one comparable has a fireplace and one comparable has a detached garage with 414 square feet of building area. The dwellings were constructed from 1944 to 1951. The BOR indicated the subject and the comparables were in fair condition. Each comparable has a grade of C or C-5. The BOR also submitted a map noting the location of the subject and the comparables used by the parties. The sales occurred from May 2008 to September 2008 for prices ranging from \$89,000 to \$107,000 or from \$56.35 to \$64.31 per square foot of living area, including land. Based on this evidence, the BOR requested the subject's assessment be reduced to \$36,160 which reflects a market value of approximately \$108,480 or \$55.95 per square foot of living area, including land.

In rebuttal the appellant submitted a statement stating 18 homes sold in the subject's subdivision during 2008 and the BOR selected 3 of the top 5 most expensive homes that sold.

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 a reduction in the subject's assessment is supported by the evidence in the record.

The appellant contends 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 (3<sup>rd</sup> Dist. 2002). The Board finds the sales data in the record support a reduction in the subject's assessment.

The record contains information on 6 comparable sales submitted by the parties. The Board finds three comparables submitted by the parties were of a different style than the subject property. The Board gives these sales no weight. The three remaining comparables were 1½-story dwellings that ranged in size from 1,163 to 1,681 square feet of living area. These comparables had relatively similar features as the subject property and were similar to the subject in age. These properties sold from February 2007 to May 2008 for prices ranging from \$64,000 to \$94,728 or from \$55.03 to \$60.32 per square foot of living area, land included. The subject's assessment reflects a market value of \$117,869 or \$60.79 per square foot of living area, land

included, which is slightly above the range established by the three best comparables in the record on a square foot basis. The best comparable was BOR comparable #2 that sold for a unit price of \$56.35 per square foot of living area, land included. Based on this record the Board finds a reduction in the subject's assessment commensurate with the board of review's recommendation is appropriate.

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: April 22, 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.