



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

APPELLANT: Terry Dies
DOCKET NO.: 08-03077.001-R-1
PARCEL NO.: 14-33-476-041

The parties of record before the Property Tax Appeal Board are Terry Dies, 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 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: \$2,460
IMPR.: \$10,310
TOTAL: \$12,770**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a one-story with finished attic single family dwelling that has 1,364 square feet of living area. The subject has a basement, central air conditioning and a fireplace. The dwelling was constructed in 1924.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales improved with two, two-story dwellings and a one-story dwelling with finished attic area that range in size from 1,176 to 1,764 square feet of living area. The dwellings were constructed from 1900 to 1920. Each comparable has a basement, two comparables each have a fireplace and two comparables each have a detached garage with 264 and 576 square feet of building area, respectively. The comparables have different neighborhood codes than the subject property. The sales occurred from June 2007 to June 2008 for prices ranging from \$17,500 to \$27,500 or from \$14.88 to \$22.53 per square foot of living area. Based on this evidence the appellant requested the subject's assessment be reduced to \$9,600.

The board of review (BOR) submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$13,720 was disclosed. The subject's assessment reflects a market value of \$41,413 or \$30.36 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 the assessment the BOR submitted information on three comparables composed of one-story dwellings with finished attics that have 1,336 and 1,344 square feet of living area. Each comparable has a basement, one comparable has central air conditioning, one comparable has a fireplace and two comparables each have a detached garage with 216 and 240 square feet of building area. The dwellings were constructed from 1914 to 1925. Each comparable has the same neighborhood code as the subject property. The BOR also submitted a map depicting the location of the comparables submitted by the BOR. The sales occurred from August 2007 to December 2007 for prices ranging from \$36,500 to \$40,000 or from \$27.16 to \$29.76 per square foot of living area, including land. Based on this evidence, the BOR requested the assessment of the subject be reduced to \$12,770 to reflect a market value of approximately \$38,310, which would equate to a value of \$28.08 per square foot of living area, land included.

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 (3rd 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 gives the comparables provided by the BOR more weight due to location, style and age. These three properties sold for prices ranging from \$36,500 to \$40,000 or from \$27.16 to \$29.76 per square foot of living area. The subject's assessment reflects a market value of \$41,413 or \$30.36 per square foot of living area, land included, using the 2008 three year average median level of assessments for Peoria County of 33.13%, which is above the range established by the best comparables. Considering its own comparables, the BOR recommended the subject's assessment be reduced to \$12,770. Based on this record and recommendation the Board finds a reduction in the subject's assessment commensurate with the BOR's request 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.