



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

APPELLANT: Gregory D & Susan C Johnson
DOCKET NO.: 08-05019.001-R-1
PARCEL NO.: 06-36.0-102-008

The parties of record before the Property Tax Appeal Board are Gregory D & Susan C Johnson, the appellants; and the Sangamon 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 Sangamon County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$8992
IMPR.: \$67,981
TOTAL: \$76,973

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 30 year old two-story brick and steel dwelling containing 2,713 square feet of living area on a crawl space. Features include central air conditioning, two fireplaces, and a two-car garage. The dwelling is situated on an approximately 23,464 square foot lot.

The appellants submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of the overvaluation argument, the appellants submitted an appraisal report estimating a fair market value for the subject property of \$225,000 as of March 5, 2008. The appraiser developed the sales comparison approach to value using three suggested comparable sales with varying degrees of similarity when compared to the subject. The comparables are two-story dwellings consisting of brick and vinyl or vinyl construction ranging in age from estimated five to seven years old with central air conditioning. The comparables have full, partially finished basements. Fireplaces range from none to one and they have two or three-car garages. The comparables sold from April 2007 to November 2007 for sale prices ranging from \$205,000 to

\$235,000 or from \$90.71 to \$109.30 per square foot of living area including land. After adjusting the comparables for differences when compared to the subject, the appraiser calculated that the comparables had adjusted sales prices ranging from \$199,810 to \$230,760 or from \$88.41 to \$107.33 per square foot of living area including land. Based on these adjusted sale prices, the appraiser concluded the subject property had an estimated market value of \$225,000 or \$82.93 per square foot of living area including land as of March 5, 2008.

The evidence further revealed that the appellants did not file a complaint with the board of review but filed an appeal directly to the Property Tax Appeal Board following receipt of the notice of an equalization factor. Based on this evidence, the appellants requested removal of the township equalization factor or a final assessment of \$76,973, which reflects an estimated market value of approximately \$230,942.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$64,338¹ was disclosed. The board of review argued the subject property was valued at a fair market value of \$ 193,014 by the assessor, which is less than the \$225,000 value estimate contained in the appellant's appraisal. The board of review did not submit any evidence in support of its assessed valuation of the subject property or refute the valuation evidence as submitted by the appellant as required by Section 1910.40(a) of the Official Rules of the Property Tax Appeal Board.(86 Ill.Adm.Code §1940.40(a)).

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 warranted.

The appellants argued the subject property is overvalued. 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, Ill.App.3d 1038 (3rd Dist.2002). The appellants have overcome this burden of proof.

The appellants submitted an appraisal of the subject property estimating a fair market value of \$225,000 as of March 5, 2008. The board of review argued the subject property was valued at a fair market value of \$193,014 by the assessor, which is less than the appraisal submitted by the appellants. The board of review did not submit any evidence in support of its assessed valuation of the subject property or refute the valuation evidence as submitted by the appellants as required by Section 1910.40(a) of

¹ The Property Tax Appeal Board takes notice that the final decision issued by the Sangamon County Board of Review depicts a final equalized assessment for the subject property of \$78,844. The subject's assessment reflects an estimated market value of \$239,211 using Sangamon County's three-year median level of assessment of 32.96%.

the Official Rules of the Property Tax Appeal Board.(86 Ill.Adm.Code §1940.40(a)).

The Property Tax Appeal Board finds the subject property has a final equalized assessment of \$78,844, which reflects an estimated market value of \$239,211 using Sangamon County's three-year median level of assessment of 32.96%. The Board further finds the best and only evidence of the subject's fair market value contained in this record is the appraisal submitted by the appellants. The appraisal estimates a fair market value of \$225,000, which is less than the subject's estimated market value as reflected by its assessment. Therefore a reduction in the subject's assessment is warranted commensurate with the appellant's request.

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: March 23, 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.