FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Bonne Terre Construction Inc.
DOCKET NO.: 08-05118.001-R-1
PARCEL NO.: 02-2-18-31-15-402-010

The parties of record before the Property Tax Appeal Board are Bonne Terre Construction Inc., the appellant, by attorney Paul H. Lauber in Edwardsville, and the Madison 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 **Madison** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	$15,890
IMPR.:	$0
TOTAL:	$15,890

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 17,576 square foot vacant parcel. The property is located in Saline Township, Madison County.

The appellant claims overvaluation as the basis of the appeal. While the appellant marked the basis of appeal as "recent sale" and partially completed Section IV of the appeal petition regarding recent sale, there is no evidence that there was a sale of the subject property. Also attached to the appeal petition were three PTAX-203 forms regarding parcels located in Highland, Saline Township which each sold for $37,000. The form indicates that each property was advertised for sale and consists of land only.

In the Section V grid, the appellant reported these three sales of parcels ranging in size from 8,707 to 10,127 square feet of land area. Having sold in April 2007 for $37,000 each, these comparables sold for prices ranging from $3.65 to $4.25 per square foot of land area. The evidence further revealed that the appellant filed this appeal directly to the Property Tax Appeal

Board following receipt of the notice of a township equalization factor issued by the board of review.[1]

The board of review submitted its "Board of Review Notes on Appeal" in which the subject's equalized assessment of $15,890 was disclosed. The board of review reported the actual lot size of the subject was 17,576 square feet. Given the subject's estimated market value based on its assessment of approximately $47,670 or $2.71 per square foot of land area, the board of review contends the subject's current estimated market value is less than the comparable sales reported by the appellant. Therefore, the board of review requests confirmation of the subject's assessment.

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 appellant contends the assessment of the subject property is excessive and not reflective of its market value. 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 evidence in the record does not support a reduction in the subject's assessment.

The appellant submitted three comparable sales of vacant parcels located in Saline Township for the Board's consideration. The comparables sold in April 2007 for $37,000 or for prices ranging from $3.65 to $4.25 per square foot of land area. The subject's 2008 equalized assessment reflects a market value of approximately $47,670 or $2.71 per square foot of land area, which is below the range established by the comparables on a per square foot basis. After considering the comparable sales on this record, the Property Tax Appeal Board finds the appellant did not demonstrate the subject property's assessment to be excessive in relation to its market value and a reduction in the subject's assessment is not warranted on this record.

[1] The notice dated April 8, 2009 indicated that a 1.0594 factor was applied to every non-farm parcel in Saline Township raising the subject's total assessment from $15,000 to $15,890.

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.

Chairman

Member

Member

Member

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: September 23, 2011

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.