



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

APPELLANT: Michael & Carie Greer
DOCKET NO.: 08-05347.001-R-1
PARCEL NO.: 14-2-15-14-13-304-016

The parties of record before the Property Tax Appeal Board are Michael & Carie Greer, the appellants; 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: \$ 9,330
IMPR: \$ 55,330
TOTAL: \$ 64,660

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a one-story frame and masonry dwelling containing 1,768 square feet of living area that was built in 1994. Amenities include an unfinished basement, central air conditioning, a fireplace, and a 506 square foot attached garage. The dwelling is situated on a 12,900 square foot land parcel.

The appellants submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellants submitted a value estimate for the subject property from the internet website Zillow.com. The website estimated the subject property had a market value of \$162,000 as of November 30, 2009. To support the value estimate, the website identified 10 suggested comparable sales. The dwellings are reported to contain 2 or 3 bedrooms and 1, 1.5 or 2 bathrooms. The dwellings are reported to range in size from 1,064 to 2,330 square feet of living area. No other descriptive information was provided, such as age, design, exterior construction, features or land area. The comparables sold from February 2009 to October 2009 for prices ranging from

\$123,000 to \$175,000 or from \$64.37 to \$140.88 per square foot of living area including land. Based on this evidence, the appellants requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final equalized assessment of \$64,660 was disclosed. The subject's assessment reflects an estimated market value of \$196,058 or \$110.89 per square foot of living area including land using Madison County's 2008 three-year median level of assessments of 32.98%.

In support of the subject's assessment, the board of review submitted three comparable sales located from .09 to .62 of a mile from the subject. They consist of one-story frame and brick dwellings that were built from 1992 to 1999. One comparable has an unfinished basement and two comparables have finished basements. Other amenities include central air conditioning, one fireplace and garages that contain from 380 to 630 square feet. The dwellings range in size from 1,444 to 1,599 square feet of above grade living area and are situated on lots that range in size from 5,952 to 11,948 square feet of land area. The comparables sold in June or July 2008 for prices ranging from \$195,000 to \$231,000 or from \$124.68 to \$144.47 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellants argued the comparable sales used by the board of review are from the summer of 2008 when market values were at their maximum. The appellants argued that since 2008, values have dropped 20%. The appellants also argued comparables 1 and 2 submitted by the board of review contain 2,179 and 3,000 square feet of living area (including finished basement area), respectively. The appellants also attempted to submit three additional comparable sales that occurred in 2010 from the subject's neighborhood. Notwithstanding that the purported comparable sales occurred in 2010 when this appeal involves the subject's January 1, 2008 effective valuation date, the Board finds it cannot consider this new evidence. Section 1910.66(c) of the Rules of the Property Tax Appeal Board provides:

Rebuttal evidence shall not consist of new evidence such as an appraisal or **newly discovered comparable properties**. A party to the appeal shall be precluded from submitting its own case in chief in guise of rebuttal evidence. (86 Ill.Adm.Code §1910.66(c)).

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 these appeals. The Board further finds no 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. Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179, 183, 728 N.E.2d 1256 (2nd Dist. 2000). The Board finds the appellants have not met this burden of proof.

The appellants submitted a value estimate for the subject property of \$162,000 as of November 30, 2009 using Zillow.com internet website. The value estimate was based on 10 suggested comparable sales. The Board gave the value estimate little weight. The Board finds the value estimate date is November 30, 2009, almost two years subsequent to the subject's January 1, 2008 assessment date at issue in this appeal. Notwithstanding the lack of pertinent descriptive information of the comparables for comparison to the subject, the Board finds the suggested comparable sales submitted by the appellant that were identified in the Zillow.com website value estimate sold in 2009, which are less reliable indicators of market value as of the subject's January 1, 2008 assessment date.

The Property Tax Appeal Board finds the board of review submitted three comparable sales with detailed descriptive information showing their varying degrees of similarity when compared to the subject. The Board gave more weight to these comparable sales. The Board recognized the comparables are slightly smaller in size than the subject and comparables 1 and 2 have finished basements, superior to the subject. The subject has more land area than the comparables. The board of review's comparables sold more proximate to the subject's January 1, 2008 assessment date than the suggested comparables submitted by the appellants. The comparables sold in June or July 2008 for prices ranging from \$195,000 to \$231,000 or from \$124.68 to \$144.47 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$196,058 or \$110.89 per square foot of living area including land, which is less than the most similar comparables on a per square foot basis. After considering adjustments to the most similar comparables for any differences when compared to the subject, the Property Tax Appeal Board finds the subject's estimated market value as reflected by its assessment is supported and no reduction is warranted.

In conclusion, the Property Tax Appeal Board finds the appellant failed to establish that the subject was overvalued by a preponderance of the evidence. Therefore, the Board finds the subject's assessment as established 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

Mark Morris

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: February 18, 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.