



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

APPELLANT: Leonard & Stephanie Veazie
DOCKET NO.: 08-06190.001-R-1
PARCEL NO.: 08-05.0-202-042

The parties of record before the Property Tax Appeal Board are Leonard & Stephanie Veazie, the appellants, by attorney John W. Rourke of Niemann Rourke LLC in, St. Louis; and the St. Clair 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 St. Clair County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$14,168
IMPR.: \$64,789
TOTAL: \$78,957

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story dwelling of frame and masonry construction containing approximately 2,726 square feet of living area. The dwelling was built in 2006 and features an unfinished basement, central air conditioning and a 400 square foot attached garage.

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 settlement statement and a Real Estate Transfer Declaration disclosing the subject property was purchased in July 2006 for \$269,500 or \$98.86 per square foot of living area including land.

The appellants also submitted three suggested comparable properties described as two-story frame or frame and masonry dwellings located 0.2 or 0.5 of a mile from the subject property. Features include unfinished basements, central air conditioning and attached garages ranging in size from 320 to 440 square feet. Two comparables are reported to have three fireplaces. Property Record Cards depict the dwellings range in size from 2,720 to

3,536 square feet of living area. The comparables sold from November 2002 to June 2008 for prices ranging from \$180,000 to \$236,500 or from \$55.01 to \$86.95 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 assessment of \$78,957 was disclosed. The subject's assessment reflects an estimated market value of \$236,398 or \$86.72 per square foot of living area including land using St. Clair County's 2008 three-year median level of assessments of 33.40%.

In support of the subject's assessment, the board of review argued the subject's estimated market value as reflected by its assessment, is less than the subject's 2006 sale price of \$269,500. Based on the evidence presented, the board of review requested 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 Property Tax Appeal Board further finds no reduction in the subject property's assessment is warranted.

The appellants argued the subject property was 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 did not meet this burden of proof.

The appellants submitted a settlement statement and a Real Estate Transfer Declaration disclosing the subject property was purchased in July 2006 for \$269,500 or \$98.86 per square foot of living area including land. The Property Tax Appeal Board gave some weight to the subject's 2006 sale, even though the sale occurred approximately 17 months prior to the January 1, 2008 assessment date. The Board finds the subject's 2008 assessment reflects an estimated value less than its 2006 sale price. Therefore no reduction is warranted.

The Board finds the appellants submitted three comparable sales for consideration. The Board gave less weight to the appellants' comparables #1 and #3 due to their larger size when compared to the subject. Moreover, comparable #3 sold over six years prior to the subject's January 1, 2008 assessment date, which is not considered indicative of the subject's fair market value. The Board finds the one remaining comparable is most similar to the subject in location, design, age, features and exterior construction. The comparable sold in June 2008 for \$236,500 or \$86.95 per square foot of living area including land. The subject's estimated market value of \$236,398 or \$86.72 per square foot of living area including land is supported by the most similar comparable sale in the record.

After considering adjustments to the comparable for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported by the preponderance of the evidence. Thus, 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

Frank J. Huff

Member

Member

Mario M. Louie

Shawn P. Lerbis

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

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.