



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

APPELLANT: Brock Oil Co. Inc.
DOCKET NO.: 08-06401.001-C-1
PARCEL NO.: 23-08-114-029-0060

The parties of record before the Property Tax Appeal Board are Brock Oil Co. Inc., the appellant, by attorney Robert W. McQuellon III in Peoria, and the Vermilion 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 Vermilion County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$75,000
IMPR: \$25,000
TOTAL: \$100,000

Subject only to the State multiplier as applicable.

ANALYSIS

The subject 15,000 square foot parcel is improved with a one-story commercial block and frame building operated as a gas station/convenience store. The building contains 1,320 square feet of building area and was constructed in 1990. The property is located in Danville, Danville Township, Vermilion County.

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. In support of this overvaluation argument the appellant submitted a grid analysis of three comparable sales located in Danville and Champaign. The comparable parcels range in size from 30,703 to 87,120 square feet of land area. Each is improved with a one-story block and frame building ranging in size from 2,076 to 3,529 square feet of building area. Comparable #2 was built in 1995; the ages of the other comparables was not reported. The comparables sold between February 2007 and August 2008 for prices ranging from \$320,000 to \$775,000 or from \$124.47 to \$219.61 per square foot of building area including land. The appellant also submitted a copy of the decision of the Property Tax Appeal Board issued in Docket No. 07-00072.001-C-1 on May 27, 2009 based on

the stipulation of the parties resulting in a total assessment of \$100,000.

The subject's 2008 total assessment was reportedly \$143,650 or an estimated market value of \$445,565 or \$337.55 per square foot of building area including land based on the 2008 three-year median level of assessments in Vermilion County of 32.24%.

Based on this evidence the appellant requested the subject's assessment be reduced to \$100,000 or a market value of approximately \$300,000 or \$227.27 per square foot of building area including land.

The board of review did not submit its "Board of Review Notes on Appeal" or any evidence in support of its assessed valuation of the subject property.

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 the evidence in the record supports a reduction in the subject's assessment.

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 appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant in this appeal submitted the only evidence of market value in the record. The appellant submitted data on three sales comparables ranging in size from 2,076 to 3,529 square feet of building area; these comparables sold between February 2007 and August 2008 for prices ranging from \$320,000 to \$775,000 or from \$124.47 to \$219.61 per square foot of building area including land. The subject's assessment reflects a market value of approximately \$445,565 or \$337.55 per square foot of building area including land.

Based on the evidence, the appellant contended the subject property had a market value of approximately \$300,000 or \$227.27 per square foot of building area including land. The board of review did not submit any evidence in support of its assessment of the subject property or to refute the appellant's argument as required by Section 1910.40(a) of the Official Rules of the Property Tax Appeal Board. (86 Ill.Admin.Code Sec. 1910.40(a)).

The Board has examined the information submitted by the appellant and finds, based on this limited evidence that was not refuted, a reduction in the assessed valuation of the subject property is justified. The Board finds based on the limited evidence submitted that the appellant's contention of market value of

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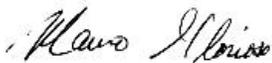
\$300,000 as of January 1, 2008 is reasonable and a reduction in accordance with the appellant's request and the 2007 decision of the Property Tax Appeal Board is warranted.

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.

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.