



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

APPELLANT: Gary & Kathy Knudsen  
DOCKET NO.: 09-00011.001-R-1  
PARCEL NO.: 21-21-300-010-0040

The parties of record before the Property Tax Appeal Board are Gary & Kathy Knudsen, the appellants, by attorney Rebecca E. P. Wade, of Meyer Capel, P.C., in Champaign, 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:** \$5,000  
**IMPR.:** \$91,667  
**TOTAL:** \$96,667

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject parcel of 8.23-acres is improved with a two-story log-sided single-family dwelling that contains approximately 2,854 square feet of living area. The dwelling was built in 1997 and features a finished basement, central air conditioning, two fireplaces, a 2.5-car garage, a covered porch, decks, an in-ground pool and an outbuilding of 672 square feet of building area. The property is located in Fairmount, Oakwood Township, Vermilion County.

The appellants contend the market value of the subject property is not accurately reflected in its assessed valuation. In support of this argument, the appellants submitted a Restricted Use Residential Appraisal Report prepared by Matthew R. Long, an Illinois Certified General Appraiser, who estimated the subject property had a market value of \$290,000 as of January 1, 2009. The appellants also submitted a copy of the board of review final decision wherein the subject's final assessment of \$166,666 was disclosed. The total assessment of the subject property reflects a market value of approximately \$514,243 including land using the 2009 three-year median level of assessments for Vermilion County

of 32.41% as determined by the Illinois Department of Revenue. (86 Ill.Admin.Code §1910.50(c)(1)).

The purpose of the appraisal was to "estimate market value for a real estate assessment complaint" and the rights appraised were fee simple. The appraiser developed the sales comparison approach to value by examining three sales. The comparables were located from 12.45 to 13.85-miles from the subject and consisted of parcels ranging in size from 5 to 16.5-acres of land area. The comparables were improved with either one-story or 1.5-story dwellings that range in age from 14 to 29 years old. The homes range in size from 2,623 to 3,962 square feet of living area. Two homes have crawl-space foundations while one has a finished basement. Each comparable has central air conditioning, a covered porch, a deck and a 2.5-car garage. Two of the comparables have one or two fireplaces; one comparable has an in-ground pool; one comparable has an enclosed porch and another comparable has a screened porch. Each comparable has outbuildings, two of which have pole barns, one of which is finished and one comparable has three barns. These comparables sold between May 2008 and September 2008 for prices ranging from \$270,000 to \$385,000 or from \$68.15 to \$137.50 per square foot of living area, including land.

In an addendum, the appraiser noted that the subject home has only two bedrooms which created a marketability issue; while a den/office could be converted to a third bedroom, there is no full bath on the same level. Furthermore, the appraiser characterized the in-ground pool as an over-improvement which was given contributory value and not actual cost to replace.

Having adjusted these sales for differences from the subject in location, site size, dwelling size, room count, basement, basement finish, and/or other amenities, the appraiser arrived at adjusted sales prices ranging from \$263,300 to \$335,500 to arrive at an estimated market value for the subject of \$290,000.

Based on this evidence the appellants requested the subject's assessment be reduced to \$96,667.

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. By letter issued on September 21, 2011, the board of review was found to be in default in this proceeding.

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 appellants contend 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 (3<sup>rd</sup> Dist. 2002). The Board finds the appellants met this burden of proof and a reduction in the subject's assessment is warranted.

The appellants in this appeal submitted the only evidence of market value in the record. The appellants submitted an appraisal estimating the subject property had a market value of \$290,000 as of January 1, 2009. 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 §1910.40(a)). While the appraisal was a Restricted Use Residential Appraisal Report,<sup>1</sup> the Property Tax Appeal Board finds the appellants' appraisal is the only substantive evidence of the subject's market value in the record. The Board has examined the information submitted by the appellants and finds that it supports a reduction in the assessed valuation of the subject property commensurate with the appellants' request.

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<sup>1</sup> As provided in the Uniform Standards of Professional Appraisal Practice, a restricted use appraisal report is for client use only. (See Advisory Opinion 11 (AO-11), *Uniform Standards of Professional Appraisal Practice, 2002 Edition*, The Appraisal Foundation, p. 146; *Uniform Standards of Professional Appraisal Practice and Advisory Opinions, 2006 Edition*, The Appraisal Foundation, p. 137. See also Standard Rule 2-2(c), *Uniform Standards of Professional Appraisal Practice, 2002 Edition*, The Appraisal Foundation, p. 27; and *Uniform Standards of Professional Appraisal Practice and Advisory Opinions, 2006 Edition*, The Appraisal Foundation, p. 28, explaining that a Restricted Use Appraisal is for client use only.) This type of report is not intended to be used by parties other than the client. In this instance the client was identified as Gary Knudsen, one of the appellants.

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.

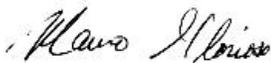
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Chairman



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Member



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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: November 30, 2012



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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.