



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

APPELLANT: James Haeffner
DOCKET NO.: 09-00058.001-R-1
PARCEL NO.: 05-2-23-17-00-000-009.009

The parties of record before the Property Tax Appeal Board are James Haeffner, the appellant; and the Madison 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 **Madison** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$12,710
IMPR.: \$59,790
TOTAL: \$72,500

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 108,916 square foot parcel improved with a one-story ranch dwelling with frame and masonry exterior construction. The subject is 5.5 years old and contains 1,827 square feet of living area. Features include air-conditioning, a fireplace and a 2-car garage. The subject is located in St. Jacob Township, St. Jacob, Illinois.

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 four comparable sales located from 1.5 to 9 miles from the subject. The comparables were one-story frame and masonry dwellings that ranged from 3 to 16 years old. The comparables had full or partial basements with two having some finished basement area. Each comparable had air-conditioning and from 2 to 4 car garages. The comparables ranged in size from 1,505 to 3,000 square feet of living area and had sold from March 2007 to May 2009 for prices ranging from \$205,000 to \$228,000 or from \$111.44 to \$136.21 per square foot of living area, including land. The appellant submitted the final decision issued by the

Madison County Board of Review establishing a total assessment for the subject of \$77,940. This assessment was increased by an equalization factor of 1.03640 for a total assessment of \$80,780, which reflects a market value of approximately \$242,219 or \$132.58 per square foot of living area including land, using the 2009 three-year average median level of assessments for Madison County of 33.35% as determined by the Illinois Department of Revenue.

The appellant also submitted a Comparative Market Analysis prepared by Ava Henseler of Strano & Associates Real Estate. Upon examination of the four comparables used by the appellant, a listing price for the subject in the amount of \$217,500 was suggested. Ms. Henseler was not present at the hearing to provide direct testimony or subject to cross-examination. The appellant testified that comparable #4 was most similar to the subject. Comparable #3 is the only comparable located in the same township as the subject. Based on this evidence the appellant requested the subject's total assessment be reduced to \$72,500.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$80,780 was disclosed. In support of the assessment, the board of review submitted property record cards of the appellant's comparables.

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 four comparables sales. The board of review failed to offer its own evidence to support the subject's assessment, and instead relied upon the same comparables submitted by the appellant. The Board finds appellant's comparable #3 was most similar to the subject based on location and most features. This comparable is approximately the same age and is only slightly smaller than the subject. This is the only comparable submitted or relied upon by both parties that is in the same township as the subject. The Board also gave significant weight to the appellant's comparable #4 based on the appellant's credible testimony, age, size and most features. These two most similar comparables sold for prices of \$205,000 and \$219,500 just 6 months prior to, and 4 months after, the subject's January 1, 2009 assessment date. The subject's

assessment reflects a market value of approximately \$242,219, which is significantly greater than the total sale price of each of these comparables. After considering adjustments to the comparables for any differences when compared to the subject for such features as land area, size, location, basement finish and garage areas, the Board finds the subject's assessment is excessive in relation to its estimated market value as demonstrated by these two most similar comparables.

In conclusion, the Board finds the appellant has demonstrated the subject property was overvalued by a preponderance of the evidence. Therefore, the Board finds the subject property's assessment as established by the board of review is incorrect and a reduction commensurate with the appellant's request 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.

Donald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario Morris

Member

J. R.

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: May 18, 2012

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.