



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

APPELLANT: Lloyd Wills  
DOCKET NO.: 09-00076.001-R-1  
PARCEL NO.: 24-1-01-25-04-401-040

The parties of record before the Property Tax Appeal Board are Lloyd Wills, the appellant, 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:** \$7,620  
**IMPR.:** \$26,390  
**TOTAL:** \$34,010

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a one-story single family dwelling with 1,128 square feet of living area. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a one-car attached garage. The dwelling is of brick construction and is approximately 44 years old. The property is located in Alton, Godfrey Township, Madison County.

The appellant contends over valuation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$130,000 as of May 27, 2009. The appraisal was prepared by Eric Meznarich, a State of Illinois Certified Residential Appraiser. In estimating the market value of the subject property the appraiser developed the sales comparison approach using four comparable sales and one listing. The comparables were composed of one-story dwellings of brick construction that ranged in size from 1,293 to 1,800 square feet of living area. The sales occurred from December 2008 to April 2009 for prices ranging from \$118,000 to \$160,000. The listing was on the open market for a price of \$133,000.

The appellant also submitted a copy of the Board of Review Final Decision dated September 8, 2009, with a final decision of \$48,000. This assessment reflects a market value of \$143,498 when applying the 2009 three year average median level of assessments for Madison County of 33.45%. Based on this evidence the appellant requested the subject's assessment be reduced to \$43,333.

The board of review submitted its "Board of Review Notes on Appeal" wherein the equalized assessment of the subject totaling \$34,010 was disclosed. The board of review submitted an amended Board of Review Final Decision dated November 17, 2009 with a final total assessment of \$33,040. Subsequent to the decision a township equalization factor of 1.02930 was applied increasing the assessment to \$34,010. The equalized assessment reflects a market value of \$101,674 when applying the 2009 three year average median level of assessments for Madison County of 33.45%. Based on this record, the board of review requested confirmation of the 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 the appeal. The Board further finds the evidence in the record does not support a reduction in the subject's assessment.

The appellant contends overvaluation as the basis of the appeal. Except in counties with more than 200,000 inhabitants that classify property, property is to be valued at 33 1/3% of fair cash value. (35 ILCS 200/9-145(a)). Fair cash value is defined in the Property Tax Code as "[t]he amount for which a property can be sold in the due course of business and trade, not under duress, between a willing buyer and a willing seller." (35 ILCS 200/1-50). The Supreme Court of Illinois has construed "fair cash value" to mean what the property would bring at a voluntary sale where the owner is ready, willing, and able to sell but not compelled to do so, and the buyer is ready, willing, and able to buy but not forced to do so to do. Springfield Marine Bank v. Property Tax Appeal Board, 44 Ill.2d 428 (1970). 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). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. (86 Ill.Admin.Code §1910.65(c)). The Board finds the appellant has not met this burden of proof and a reduction in the subject's assessment is warranted.

In support of the overvaluation argument the appellant submitted an appraisal estimating the subject property had a market value of \$133,000 as of May 27, 2009. The subject property has an equalized assessment of \$34,010 reflecting a market value of \$101,674 when applying the 2009 three year average median level of assessments for Madison County of 33.45%. The subject's

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equalized assessment reflects a market value below the appraised value submitted by the appellant. Based on this record the Property Tax Appeal Board finds a reduction in the subject's assessment is not justified.

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

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: June 24, 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.