



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

APPELLANT: Richard Holliday  
DOCKET NO.: 09-00358.001-R-1  
PARCEL NO.: 12-17-03-103-011

The parties of record before the Property Tax Appeal Board are Richard Holliday, the appellant, and the Macon 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 Macon County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$14,176  
**IMPR.:** \$67,491  
**TOTAL:** \$81,667

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject parcel of approximately 19,000 square feet of land area is improved with a one-story single family dwelling of frame construction with brick trim that contains approximately 2,305 square feet of living area. The dwelling was constructed in 1996 and features a basement which is partially finished,<sup>1</sup> central air conditioning, a fireplace and a 484 square foot garage. The subject property is located in Mt. Zion, Mt. Zion Township, Macon County.

The appellant filed the appeal contending overvaluation based on a recent appraisal and comparable sales along with a letter discussing the evidence with an additional argument. In the letter, the appellant contends that the appraisal is the best evidence of the subject's estimated market value and the additional sales data is presented because these sales were not available at the time the appraisal was performed.

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<sup>1</sup> The appellant reports a partial basement which is partially finished whereas the board of review reported a full unfinished basement.

In addition, the appellant argued that the appraiser did not address an external factor that "will reduce the value and make the home difficult to sell" in that nearby property behind the subject's street is to become a commercial development rather than a residential development as originally planned. "The commercial development will create 'Noise & Light' pollution plus other distractions to the back yards of all located on this street."

The appraisal was prepared by David M. Drobisch, a State Certified Real Estate Appraiser, employed by Ed Drobisch & Co. Appraisers of Decatur. The report depicts an estimated market value of \$216,000 as of January 1, 2009 and was prepared for a tax appeal. The appraiser utilized both the sales comparison and cost approaches to value in the report.

As to market conditions, the appraiser wrote, "Historically, over the past 24 months, market values in Mt. Zion have been static to slightly declining. The percentage of decline ranged from 2% to 6%. This is due to current economic conditions. The last two quarters of 2008 and first two quarters of 2009 found declining market values."

For the sales comparison approach, the appraiser noted that in researching sales there were no recent sales from June 2008 to June 2009 of one-story ranch style homes of similar age except for newer construction. The three sales presented in the report are in the same subdivision as the subject and one is on the same street as the subject. The comparable parcels range in size from 19,600 to 35,400 square feet of land area and are improved with two-story frame and brick dwellings that were 6 to 17 years old. The comparables range in size from 2,540 to 2,871 square feet of living area with full basements, two of which are finished, central air conditioning, a fireplace and a two-car or a three-car garage. The sales occurred from June 2008 to February 2009 for prices ranging from \$239,000 to \$285,000 or from \$94.09 to \$100.11 per square foot of living area, including land. The appraiser made adjustments to the comparables for differences from the subject property for such items as lot size, age, room count, dwelling size, basement finish, functional utility and garage size. The appraiser noted dwelling size was adjusted at \$40 per square foot and the functional utility adjustments reflected differences in the number of bedrooms as the comparables had four and the subject had three bedrooms. From this process the appraiser concluded the comparables had adjusted sales prices ranging from \$213,680 to \$220,640 or from \$74.43 to \$84.61 per square foot of living area, including land.

Under the cost approach, the appraiser estimated the subject's land value at \$38,000 based on sales in neighboring subdivisions in Mt. Zion. Using Marshall & Swift, the appraiser determined a replacement cost new for the subject dwelling including the basement and garage of \$234,111. Physical depreciation of 15% using the age/life method and external obsolescence of 7% "based on economic conditions" were calculated resulting in a

depreciated value of improvements of \$182,607. Next, a value for site improvements of \$4,000 was added. Thus, under the cost approach, the appraiser estimated a market value of \$224,600 for the subject.

In reconciling the two approaches, the appraiser placed most emphasis upon the sales data for an estimated market value of \$216,000 for the subject.

The appellant also submitted information on four additional comparables located from 3 to 6-miles from the subject property. These parcels range in size from 10,000 to 21,275 square feet of land area and are improved with three, one-story dwellings and a two-story dwelling. The homes were from 2 to 22 years old and range in size from 1,929 to 2,396 square feet of living area. The comparables have full or partial basements, each of which has finished area. The homes have central air conditioning and garages. Three of the comparables have one or two fireplaces. The properties sold from November 2009 to December 2010 for prices ranging from \$192,000 to \$222,000 or from \$80.97 to \$115.09 per square foot of living area, including land. The appellant further reported that comparable #1 resold in June 2010 for \$212,000 or \$109.90 per square foot of living area, including land.

Based on this evidence the appellant requested the subject's assessment be reduced to \$72,000 which would reflect a market value of approximately \$216,000 or \$93.71 per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$81,667 was disclosed. The subject's assessment reflects a market value of \$243,855 or \$105.79 per square foot of living area, including land, when using the 2009 three year average median level of assessments for Macon County of 33.49%.

The board of review submitted a letter along with a grid analysis with applicable property record cards. In the letter, the board of review asserted that the appraisal is deemed to be problematic due to "use of 2 Story homes and also the percentages of the net adjustments."

In support of the subject's estimated market value, the board of review presented a grid analysis of three comparable sales with adjustments "similar to those in the appraisal." The comparables are not in the subject's subdivision and were located from 1 to 3-miles from the subject property. Board of review comparable #3 is the appellant's sale comparable #1. The parcels range in size from 14,375 to 22,651 square feet of land area. Each is improved with a one-story frame dwelling that ranges in age from 2 to 19 years old. The comparables range in size from 1,916 to 2,296 square feet of living area and feature full unfinished basements, central air conditioning and garages ranging in size from 552 to 648 square feet of building area. Two of the comparables have a

fireplace. The sales occurred from September 2009 to April 2010 for prices ranging from \$222,000 to \$245,000 or from \$102.35 to \$120.98 per square foot of living area, including land.

The board of review depicted adjustments for age, the number of bathrooms, dwelling size and/or lack of a fireplace. Thus, the adjusted sales prices ranged from \$232,610 to \$257,000 or from \$102.67 to \$126.92 per square foot of living area, including land.

Based on this data, the board of review requested confirmation of the subject's assessment.

In written rebuttal, the appellant noted that the assessing officials report the subject's basement to be full or about 59% larger than its actual size. The appellant further reiterated his contention that the appraisal best reflects its market value given its age.

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 a reduction in the subject's assessment is not supported by the evidence in the record.

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 (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 not warranted.

The Property Tax Appeal Board finds that the appraiser's sales analysis which relied solely upon two-story dwellings in comparison to the subject's one-story design, and did not make any adjustment for this design difference, raises serious questions about the validity of the value conclusion presented. As such, the Board has given less weight to the appraisal.

The Board finds the best evidence of market value for the subject in the record are the sales of one-story residences presented by both the appellant and the board of review, one of which was a common property among the parties. The data on these five one-story sales range from \$194,000 to \$245,000 or from \$80.97 to \$120.98 per square foot of living area, including land. The subject has an estimated market value based on its assessment of \$243,855 or \$105.79 per square foot of living area, including land, which is within the range of the one-story home sales and when considering the subject's age, dwelling size and disputed basement size.

In conclusion and based on this record, the Property Tax Appeal Board finds that a reduction in the subject's assessment is not warranted on the record evidence.

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: December 21, 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.