FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Joe Connolly
DOCKET NO.: 09-00520.001-R-1
PARCEL NO.: 14-34-157-008

The parties of record before the Property Tax Appeal Board are Joe Connolly, the appellant, by attorney Clyde B. Hendricks in Peoria, and the Peoria 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 **Peoria** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	$ 2,580
IMPR.:	$ 15,510
TOTAL:	$ 18,090

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a one-story frame dwelling containing 1,182 square feet of living area that was built in 1925. The dwelling features a full unfinished basement, a one-half finished attic, central air conditioning and a 240 square foot detached garage.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this claim, the appellant submitted three suggested comparable sales. One comparable is located in the same assessment neighborhood code as the subject as defined by the local assessor. Additionally, the comparables were purported to be located from five blocks to eight blocks from the subject. The comparables consist of one-story frame dwellings that were built in 1928 or 1930. They contain from 1,019 to 1,072 square feet of living area and have partial unfinished basements. Comparable #2 has a 120 square foot garage. The comparables sold from November 2007 to August 2008 for prices ranging from $21,000 to $41,500 or from $19.74 to $38.71 per square of living area

including land. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's assessment of $18,090 was disclosed. The subject's assessment reflects an estimated market value of $55,002 or $46.53 per square foot of living area including land using Peoria County's 2009 three-year median level of assessments of 32.89%.

In support of the subject's assessment, the board of review submitted property record cards and a market analysis of three suggested comparable sales. The comparables are located in the same assessment neighborhood code as the subject, with two of the comparables located on the same street as the subject. The comparables consist of one-story frame or masonry dwellings that were built from 1925 to 1935. The comparables range in size from 960 to 1,148 square feet of living area. Features include full unfinished basements and garages ranging in size from 216 to 400 square feet of building area. Comparable #3 has central air conditioning. The comparables sold from December 2008 to October 2009 for prices ranging from $43,000 to $60,000 or from $44.79 to $52.26 per square of living area including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant argued that comparables #1 and #3 submitted by the board of review are superior to the subject due to their brick exterior and numerous upgrades. The appellant also argued it is unfair to compare owner occupied dwellings to a rental dwelling.

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 no reduction in the subject's assessment is warranted.

The appellant argued the subject property is overvalued. When market value is the basis of the appeal, the value must be proved by a preponderance of the evidence. Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill. App. 3d 179, 183, 728 N.E.2d 1256 (2nd Dist. 2000). After an analysis of the evidence, the Board finds the appellant has not overcome this burden.

The record contains six suggested comparable sales for the Board's consideration. The Board gave less weight to the appellant's comparable #2 due to its 2007 sale date occurring more than 12 months prior to the subject's January 1, 2009 assessment date. The Board finds the remaining five comparables are similar to the subject in size, style and features. They sold from February 2008 to October 2009 for prices ranging from $37,000 to $60,000 or from $36.31 to $52.26 per square foot of living area, including land. The subject's assessment reflects an estimated market value of $55,002 or $46.53 per square foot of

living area including land, which is within the range established by the most similar sales in the record. After considering adjustments to the comparables for any differences when compared to the subject, the Property Tax Appeal Board finds the subject's estimated market value as reflected by its assessment is supported and no reduction 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

Acting 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: November 18, 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.