



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

APPELLANT: Robert Mummert Jr.  
DOCKET NO.: 09-01956.001-R-1  
PARCEL NO.: 24-26-24-200-003

The parties of record before the Property Tax Appeal Board are Robert Mummert Jr., the appellant, and the Fulton 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 **Fulton** County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$1,480  
**IMPR.:** \$21,080  
**TOTAL:** \$22,560

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject parcel of approximately 23,000 square feet of land area is improved with a one-story frame exterior constructed dwelling built in 1970. The dwelling contains 1,953 square feet of living area with a crawl-space foundation, central air conditioning and an attached two-car garage of 480 square feet of building area. The subject property is located in Astoria, Astoria Township, Fulton County.

The appellant's appeal is based on overvaluation of the subject property. In support of this market value argument, the appellant submitted an appraisal prepared by Chad Beekman of Beekman & Associates in Lewistown. The appraiser used two of the three traditional approaches to value in concluding an estimated market value of \$68,000 for the subject property as of August 11, 2009.

The property rights appraised were fee simple and the purpose of the appraisal was for a refinance transaction for the client Ipava State Bank of Lewistown.

The appraiser also prepared a Market Conditions Addendum to the Appraisal Report wherein, based on area data gathered, he concluded that market conditions for the area were in balance, there was a decline in home prices from 2007 to 2008, but in the past 12 months the market had stabilized and remained static.

Under the cost approach, the appraiser estimated the subject's land value at \$6,000 based on market extraction methods and sales comparison approach applications. Using construction appraisals and building cost manuals, the appraiser determined a reproduction cost new for the subject dwelling including the garage of \$134,757. Physical depreciation of \$60,954 was calculated on the age/life method and 10% external obsolescence "for Rushville neighborhood" resulted in a depreciated value of improvements of \$70,695. Adding back the land value, under the cost approach, the appraiser estimated a market value of \$76,695 for the subject.

Under the sales comparison approach, the appraiser used sales of three comparable homes located between 0.70 and 9.66-miles from the subject property. The comparables consist of one-story "average" single-family dwellings which were from 17 to 38 years old. The comparables range in size from 1,288 to 1,764 square feet of living area. One comparable has a concrete slab foundation and two have full basements, one of which is fully finished. Each comparable has central air conditioning and a two-car garage. The comparables sold in May and June 2009 for prices ranging from \$65,000 to \$86,000 or from \$36.85 to \$66.77 per square foot of living area including land.

In comparing the comparable properties to the subject, the appraiser made adjustments for site size, age, room count, dwelling size, basement size and finish and other amenities. The appraiser wrote that sales in the subject's neighborhood were limited which was typical for a neighborhood of this size. The appraiser noted the sales were considered similar in buyer appeal and were from competing neighborhoods. The adjustment analysis resulted in adjusted sales prices for the comparables ranging from \$60,370 to \$79,591 or from \$34.22 to \$61.79 per square foot of living area, land included. From this process, the appraiser estimated a value for the subject by the sales comparison approach of \$68,000 or \$34.82 per square foot of living area including land.

In his final reconciliation, the appraiser concluded an estimate of value of \$68,000 since the sales comparison approach best reflects the market and is supported by the cost approach.

Based on this evidence, the appellant requested a reduction in the subject's total assessment to \$22,666 which would reflect a market value of approximately \$68,000.

The board of review submitted its "Board of Review Notes on Appeal." Based on the "Notice of Final Decision On Assessed Value By The Board of Review," the subject's final total

assessment was \$27,860. The final assessment of the subject property reflects a market value of \$84,093 or \$43.06 per square foot of living area including land using the 2009 three-year median level of assessments for Fulton County of 33.13%. (86 Ill.Admin.Code §1910.50(1)).

In response to the appellants' appraisal, the board of review submitted a letter criticizing various aspects of the appraisal and including suggested comparable sales. As to the appellant's appraisal, the board of review contends "there was one comparable used that is in another county" but the board of review contends there were a sufficient number of local comparable sales to use for analysis.<sup>1</sup> Additionally, the appraisal was prepared for a refinance transaction with the client being "a local bank."

In support of the subject's estimated market value based on its assessment, the board of review presented a grid analysis of four comparable properties said to be in Astoria or Ipava. Comparables #2 and #3 from the board of review were the appraisal comparables #1 and #2. The two new comparables presented by the board of review are one-story dwellings of frame construction that were 36 and 50 years old, respectively. The dwellings contain 1,200 and 1,260 square feet of living area each. They have full unfinished basements, central air conditioning and a garage of either 336 or 960 square feet of building area. One comparable also has a fireplace. These properties sold in April and June 2009 for prices of \$75,000 each or for \$59.52 and \$62.50 per square foot of living area including land.

Based on the foregoing evidence, the board of review requested confirmation of the subject's estimated market value as reflected by its 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 this appeal. The Board further finds that a reduction in the subject's assessment is warranted.

The appellant argued that the subject's assessment was not reflective of market value. 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 this burden of proof has been met and a reduction in the subject's assessment is warranted.

The Board finds the appellant submitted an appraisal of the subject property with a final value conclusion of \$68,000. The appraiser adjusted the comparables for differences from the subject such as age and dwelling size to arrive at his value conclusion. The board of review submitted four comparable sales

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<sup>1</sup> The board of review did not identify which property was purportedly not within Fulton County.

which did not have any adjustments for differences and two of those four sales were used by the appraiser to arrive at his conclusion. Moreover, the two additional sales presented by the board of review were substantially smaller than the subject dwelling at 1,200 and 1,260 square feet of living area, respectively, whereas the subject contains 1,953 square feet of living area. Considering all of the sales on the record, the subject dwelling is larger than each comparable presented with the appraiser's sale #3 being most similar to the subject in dwelling size. Accepted real estate valuation theory provides that all factors being equal, as the size of the property increases, the per unit value decreases. In contrast, as the size of a property decreases, the per unit value increases. The two 'new' sales presented by the board of review have unadjusted values of \$59.52 and \$62.50 per square foot of living area including land and the appraiser's unadjusted comparable sales range from \$36.85 to \$66.77 per square foot of living area. The final assessment of the subject property reflects a market value of \$84,093 or \$43.06 per square foot of living area including land, which is below the unadjusted sales presented by the board of review on a per-square-foot basis.

However, the Board finds the lowest unadjusted per-square-foot sale price of the comparables was presented as the appraiser's sale #3, which as noted above was also the most similar in size to the subject. This comparable, however, also enjoys a full basement not present in the subject dwelling. With adjustments for differences, the appraiser estimated a sale price of \$60,370 for sale #3. Given the similarities of appraiser's sale #3 to the subject and in light to the credible and well-reasoned adjustments set forth in the appraisal report, the Property Tax Appeal Board finds that the appraiser's value conclusion of \$68,000 for the subject property is the best evidence of the subject's market value in the record as of January 1, 2009.

Based upon the market value as stated above, the Property Tax Appeal Board finds that a reduction is warranted. Since market value has been established, the three-year median level of assessments for Fulton County for 2009 of 33.13% shall be applied.

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: August 28, 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.