



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

APPELLANT: Steven Landreth
DOCKET NO.: 09-03098.001-R-1 through 09-03098.003-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Steven Landreth, the appellant; and the Union 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 Union County Board of Review is warranted. The correct assessed valuation of the property is:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
09-03098.001-R-1	14-00-08-844	3,970	33,870	\$37,840
09-03098.002-R-1	14-00-07-545	3,290	18,550	\$21,840
09-03098.003-R-1	14-00-07-546	3,290	18,550	\$21,840

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of three parcels that contain 10,824 or 11,748 square feet of land area. Parcel 14-00-08-844 (hereinafter parcel #1) is improved with a 39 year-old, one-story frame apartment building that contains 4,148 square feet of building area. Parcel 14-00-07-545 (hereinafter parcel #2) is improved with a 31 year-old, one-story frame apartment building that contains 3,000 square feet of building area. Parcel 14-00-07-546 (hereinafter parcel #3) is also improved with a 31 year-old, one-story frame apartment building that contains 3,000 square feet of building area. Parcel #1 is located in Anna, Illinois and parcels #2 and #3 are located in Jonesboro, Illinois.

The appellant submitted evidence to the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument regarding parcel #1, the appellant submitted information on two comparable properties located ¼-mile from the subject. The comparable improvements are situated on lots that contain 10,830 and 26,400 square feet, respectively, and consist

of one-story brick apartment buildings that were built in 1952 or 1970 and which contain 3,654 or 8,818 square feet of building area. The comparables were reported to have sold in September 2006 or December 2007 for prices of \$100,000 and \$150,000 or \$27.37 and \$17.02 per square foot of building area including land, respectively. Subject parcel #1 has a total assessment of \$49,290, which reflects a market value of approximately \$147,885 or \$35.66 per square foot of building area including land.

In support of the overvaluation argument regarding parcel #2, the appellant submitted a grid analysis of three comparables said to be located $\frac{3}{4}$ -mile or one mile from the subject. The comparable lots range in size from 10,824 to 26,400 square feet of land area and are improved with one-story or two-story brick or frame apartment buildings that contain 3,654 to 8,818 square feet of building area. The comparables were reported to have sold between December 2001 and December 2007 for prices ranging from \$87,500 to \$150,000 or from \$17.01 to \$27.37 per square foot of building area including land. Subject parcel #2 has a total assessment of \$21,840, which reflects a market value of approximately \$65,527 or \$21.85 per square foot of building area including land.

In support of the overvaluation argument regarding subject parcel #3, the appellant submitted the same three comparables used to for parcel #2 above. Subject parcel #3's total assessment and estimated market value are identical to parcel #2 above, as well. The appellant also submitted a letter in which he opined that property taxes and assessments were too high and do not reflect current market values. He also opined that the income approach to value should be utilized to properly assess income properties. Based on this evidence the appellant requested a reduction in the subject's assessment.

The board of review did not submit its "Board of Review Notes on Appeal" or any evidence in support of its assessed valuation of the subject property.

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 a reduction in the subject property's assessment regarding parcel #1 is warranted.

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 Board finds the appellant submitted data on two comparables that sold for prices of \$100,000 and \$150,000 or \$17.02 and

\$27.37 per square foot of building area including land. Subject parcel #1 has an estimated market value as reflected by its assessment of \$35.66 per square foot of building area including land, which is not supported by the only market evidence in the record. Therefore, a reduction in the assessment of subject parcel #1 is justified.

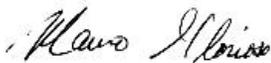
Regarding subject parcels #2 and #3, which appear to be identical, the Board finds the appellant submitted data on three comparable sales. The Board gave little weight to the appellant's comparable #3 in regard to both subject parcels because this comparable is dissimilar in design when compared to the subject and sold in December 2001. Therefore, it cannot be relied on to establish a market value for the subject as of the subject's January 1, 2009 assessment date. The appellant's remaining two comparables sold for prices of \$100,000 and \$150,000 or \$27.37 and \$17.01 per square foot of building area including land. The total assessments for subject parcels #2 and #3 of \$21,840 reflect a market value of approximately \$65,527, or \$21.85 per square foot of building area including land, which falls between the appellant's two remaining comparables. The board of review did not submit any evidence in support of its assessment of the subject property or to refute the appellant's argument as required by Section 1910.40(a) of the rules of the Property Tax Appeal Board, and is found to be in default pursuant to section 1910.69(a) of the Board's rules. Notwithstanding the board of review's failure to submit evidence in support of these parcels' assessments, the Property Tax Appeal Board finds the assessments of parcels #2 and #3 are supported by the appellant's own evidence. Thus, the appellant has not met his burden of proving overvaluation by a preponderance of the evidence and no reduction in the assessments of subject parcels #2 and #3 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.