



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

APPELLANT: Coventine Fidis
DOCKET NO.: 09-03269.001-R-1
PARCEL NO.: 16-01-35-300-020

The parties of record before the Property Tax Appeal Board are Coventine Fidis, the appellant, by attorney Rodney B. Fetterolf, of R. B. Fetterolf, Attorney at Law in Dixon; and the Lee 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 Lee County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$4,695
IMPR: \$0
TOTAL: \$4,695

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of 1.81 acres of land area located in Palmyra Township, Dixon, Illinois.

The appellant, through counsel, appeared before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal of the subject property with an effective date of November 6, 2009. The appraiser used the sales comparison approach in estimating a value for the subject of \$11,000.

The appraiser examined three comparable properties. The comparables consist of parcels ranging in size from 0.5 to 1.24 acres that are located from 3.48 to 5.88 miles from the subject. One comparable is described as rural, similar to the subject, and two are described as suburban in location. The subject is described as being a hillside ravine. One comparable is depicted as sloping and two having a "level to sloping" terrain. These comparables sold in either May 2009 or July 2009 for prices ranging from \$17,250 to \$20,000 or from \$13,911 to \$40,000 per

acre. The appraiser adjusted the comparables for differences when compared to the subject for such items as location, site/view, access, terrain and/or utilities. They had adjusted sales prices ranging from \$10,250 to \$13,000. The appraiser concluded a value for the subject by the sales comparison approach of \$11,000. The appraisal depicts the subject is "hilly with a steep ravine," not suitable for building.

In his final reconciliation, the appraiser gave equal weight to all three comparables. The appraiser was not present at the hearing to provide direct testimony or subject to cross examination regarding his final estimate of value or the methodologies used. 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 total assessment of \$4,695 was disclosed. The subject has an estimated market value of \$14,249 or \$7,872 per acre of land area, as reflected by its assessment and Lee County's 2009 three-year median level of assessments of 32.95%.

In support of the subject's estimated market value, the board of review submitted an addendum containing a summary argument, maps, photographs, a spreadsheet of sales and a grid analysis of seven comparable sales. The sales spreadsheet depicts 20 vacant land sales located within 4.0 miles of the subject. The sales range in size from 0.56 to 5.18 acres and sold from December 2007 to November 2010 for prices ranging from \$20,000 to \$80,000 or from \$11,000 to \$74,483 per acre of land area.

The seven sale comparables consist of vacant lots ranging in size from 1.1 to 2.46 acres of land area and are located from 1.85 to 3.75 miles from the subject. The comparables sold from December 2007 to November 2010 for prices ranging from \$20,000 to \$68,000 or from \$17,717 to \$27,642 per acre of land area. The comparables were adjusted for such items as proximity to service, neighborhood, site/view, access and/or utilities. After adjustments, the comparables had adjusted sale prices ranging from \$8,182 to \$10,642 per acre. Wendy Ryerson, the board of review's representative testified that all of the comparables are in the subject's market area. Ryerson further testified that the subject assessment was reduced based on limited access and the limitations of building on the site. The final decision submitted by the appellant depicts a change in the subject's assessment was made because the lot is unbuildable. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After hearing the testimony 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 is not warranted. When market value is the basis of the appeal, the value 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); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179, 183, 728 N.E.2nd 1256 (2nd Dist. 2000). The Board finds the appellant has not met this burden.

The Board finds the appellant submitted an appraisal of the subject property in which the subject's market value was estimated to be \$11,000 as of November 6, 2009. The appraiser was not present at the hearing to provide direct testimony or subject to cross examination regarding his methodology or final value conclusions, therefore, the Board will only consider the raw sales data contained within the appraisal report.

The Board gave less weight to the appellant's comparable #1 because of its location in the City of Dixon when compared to the subject's location. In addition, the Board gave less weight to the board of review's comparables #2 and #6 based on their sale dates being remote from the assessment date in question. The Board finds the remaining comparables submitted by both parties were generally similar to the subject. These comparables sold from March 2008 to December 2009 for prices ranging from \$17,717 to \$40,000 per acre. The Board placed more weight on the adjusted sales submitted by the board of review which were supported by testimony from Wendy Ryerson, the board of review representative. The Board finds logical adjustments were made to account for the differences of the comparables when compared to the subject. The adjusted sales prices ranged from \$8,182 to \$10,642 per acre of land area. The subject's assessment reflects an estimated market value of \$14,249 or \$7,872 per acre of land area, which is less than the unadjusted most similar land sales contained in this record and is also less than the adjusted sales as submitted by the board of review. Therefore, the Board finds the subject's assessment is supported in this record and no reduction is warranted.

In conclusion, the Board finds the appellant has not demonstrated the subject property was overvalued by a preponderance of the evidence. Therefore, the Board finds the subject property's assessment as established by the board of review is correct and a reduction is not 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.

Ronald 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: November 30, 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.