



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

APPELLANT: Carl Neathery
DOCKET NO.: 09-05915.001-R-1
PARCEL NO.: 04-13-18-453-007

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

LAND: \$7,174
IMPR.: \$18,926
TOTAL: \$26,100

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of an 8,400 square foot parcel improved with a one-story frame dwelling containing 1,056 square feet of living area that was built in 1959. Features include a full, partially finished basement, air conditioning and a garage containing 288 square feet of building area. The subject is located in Decatur Township, Macon County, Illinois.

The appellant appeared before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this claim the appellant submitted a grid analysis detailing three comparable properties, multiple listing sheets and a closing statement depicting the subject's purchase on January 31, 2008 for \$73,000 along with a list of personal property involved in the purchase. The comparables are located within 2 miles of the subject. They consist of one-story frame dwellings ranging from 49 to 51 years old. The homes have air conditioning, one has a fireplace and two have a full basement, with one having a finished basement. The homes have 1.5 or 2.5-car garages. The third comparable reportedly has two garages. The comparables sold from September 2009 to September 2010 for prices ranging

from \$58,500 to \$77,500 or from \$41.55 to \$55.28 per square foot of living area, including land. The appellant also submitted a copy of the Macon County Board of Review's "Notice of Final Decision" which reflects a market value for the subject of \$93,219 or \$88.28 per square foot of living area, including land, using the 2009 three-year average median level of assessments for Macon County of 33.46% as determined by the Illinois Department of Revenue. The settlement statement depicts the subject was purchased January 31, 2008 for \$73,000. The appellant also submitted a list of personal property associated with the purchase of the subject in the amount of \$3,650. Section IV of the appeal petition depicts the subject was purchased from a non-related party using a realtor and was advertised for sale for at least six months. 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 \$31,219 was disclosed. In support of the subject's assessment, the board of review submitted a grid analysis detailing three suggested comparable properties and property record cards. The comparables are located one mile from the subject. The comparables are situated on parcels ranging from 0.45 to 0.47 acres and are one-story frame dwellings that range from 19 to 20 years old. They have air conditioning, full basements, with one having a partially finished basement, and 1-car or 2-car garages. The comparables range in size from 1,062 to 1,128 square feet of living area and sold from May 2007 to July 2009 for prices ranging from \$81,000 to \$89,900 or from \$76.27 to \$79.70 per square foot of living area, including land. Based on this evidence, the board of review requested the subject assessment be reduced to \$27,166 to reflect a market value of approximately \$81,500.

After hearing the testimony and considering the evidence the Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

The appellant argued overvaluation as a basis of the appeal. 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 parties submitted six sales comparables. The Board gave less weight to the board of review's sale comparable #2 based on its date of sale in relation to the assessment date in question. The Board finds a 2007 sale is not indicative of the subject's fair market value in 2009. The Board also gave reduced weight to the appellant's comparables because they were dissimilar in size when compared to the subject. The Board gave greater weight in its analysis to the subject's purchase in 2008 for \$73,000 and board of review comparables #1 and #3. The board

of review comparables sold for \$81,000 and \$89,900, respectively, on dates closer to the assessment date in question. The subject's assessment reflects a market value greater than the subject's purchase and greater than these two sales. After considering adjustments and the differences in the most similar market value comparables when compared to the subject property, and considering the subject's purchase in 2008, the Board finds the subject's assessment is not supported and a reduction in the subject's assessment is warranted.

Based on this analysis, the Property Tax Appeal Board finds the manifest weight of the evidence depicts 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 incorrect and a 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



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: October 18, 2013



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.