



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

APPELLANT: Shawn & Jennifer McCarthy  
DOCKET NO.: 10-00345.001-R-1  
PARCEL NO.: 16-03-302-038

The parties of record before the Property Tax Appeal Board are Shawn & Jennifer McCarthy, the appellants, and the Winnebago 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 Winnebago County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$7,670  
**IMPR.:** \$27,645  
**TOTAL:** \$35,315

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of one-story single family dwelling of frame exterior construction that contains 1,438 square feet of living area. The dwelling is 35 years old. The property has a full unfinished basement, central air conditioning, a fireplace and an attached two-car garage. The property is located in Rockford, Cherry Valley Township, Winnebago County.

The appellants submitted a residential appeal contending overvaluation based on a recent sale of the subject property and comparable sales. In support of this argument the appellants indicated on the appeal form that the subject property was purchased in March 2008 for a price of \$95,000. The appellants indicated the subject property was sold by Deutsche Bank National Trust, the property was advertised on the open market with using the Multiple Listing Service for an unknown period of time and the parties to the transaction were not related. The property was sold in settlement of a foreclosure.

The appellants also submitted information on three comparable sales of properties in the Section V grid analysis of the Residential Appeal petition. The comparables were described as

being close in proximity to the subject. The appellants asserted these were one-story frame dwelling that were 36 to 48 years old. The homes range in size from 1,266 to 2,074 square feet of living area and have full finished basements. Two of the comparables have central air conditioning and a fireplace. Each property has a garage ranging in size from 440 to 520 square feet of building area. The appellants indicated these properties sold from March 2010 to July 2010 for prices ranging from \$85,500 to \$104,000 or from \$41.22 to \$75.04 per square foot of living area, including land.

Also attached to the appeal petition is a 12-page submission identified as "copy of evidence submitted for Winnebago County Board Review Hearing on 1-25-11." While some of this data includes additional suggested comparable sales, the Property Tax Appeal Board will not further examine the submission because the appellants have failed to provide necessary details of these properties such as dwelling size, foundation (basements), age and/or proximity to the subject which makes it impossible to properly analyze the sales data as compared to the subject property's estimated market value based on its assessment. The appellants also made an argument related to the apparent over assessment of nearby properties as compared to recent sale prices, however, this data is not relevant to a market value argument concerning the subject property. The appellants also pointed out via a map that the subject is surrounded by foreclosures and bank-owned properties. As a final point, the appellants presented a newspaper article to support the proposition that home values have declined in the Rockford area.

Based on this evidence, the appellants requested the subject's total assessment be reduced to reflect a market value of approximately \$95,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein the final assessment of the subject totaling \$35,315 was disclosed. The subject's assessment reflects a market value of approximately \$106,563 or \$74.11 per square foot of living area, including land, when applying the 2010 three year median level of assessments in Winnebago County of 33.14% as determined by the Illinois Department of Revenue.

The board of review submitted data prepared by the Cherry Valley Township Assessor's Office. As to the appellants' three sales from 2010, the assessor contends "sales that have occurred after 1/1/2010 are not reflective of the assessment date and should not be considered until the 1/1/2011 assessment date." The assessor further asserted that appellants' comparable #1 was a foreclosure sale sold in "as-is" condition with various repairs and replacements needed. The assessor further noted differences in dwelling size and/or amenities from those described by the appellants. No documentation such as property record cards were provided to support these contentions.

The assessor also presented a spreadsheet of seven comparables to support the subject's assessment. A map included with the evidence depicts each of these properties being in close proximity to the subject. The comparables consist of one-story frame dwellings that were 26 to 45 years old. The homes range in size from 1,248 to 1,544 square feet of living area. Five comparables are said to have basement finish; the foundations of two comparables are not specified. Each comparable has central air conditioning, a fireplace and a garage ranging in size from 400 to 770 square feet of building area. Two comparables also enjoy enclosed porches and one has a sunroom. The properties sold from March 2009 to December 2009 for prices ranging from \$130,000 to \$150,500 or from \$91.45 to \$110.58 per square foot of living area, including land.

Based on this evidence, the board of review requested confirmation of the subject's 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 the appeal. The Board further finds the evidence in the record supports a reduction in the subject's assessment.

The appellants' contend the subject's assessment should be reduced based on the sale of the subject and comparable sales contained in the record. The evidence disclosed that the subject sold in March 2008 for a price of \$95,000. The information provided by the appellant indicated the sale had the elements of an arm's length transaction. However, the sale occurred approximately 21 months prior to the assessment date at issue.

The parties submitted a total of ten comparable sales with sufficiently detailed information for the Property Tax Appeal Board to consider. The Board has given less weight to appellants' comparable #1 due to the substantially larger dwelling size of this home when compared to the subject dwelling. The Board finds the remaining nine comparables submitted by both parties were similar to the subject in size, design, exterior construction, location and/or age. Due to their similarities to the subject, these comparables received the most weight in the Board's analysis. These comparables sold between March 2009 and May 2010 for prices ranging from \$95,000 to \$150,500 or from \$73.03 to \$110.58 per square foot of living area, including land. The subject's assessment reflects a market value of approximately \$106,563 or \$74.11 per square foot of living area, including land, which falls within the range established by the most similar comparables both in terms of overall value and on a per square foot basis. After considering the most comparable sales on this record, the Board finds the appellants did not demonstrate the subject property's assessment to be excessive in relation to its market value and a reduction in the subject's assessment is not warranted on this record.

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. Guit*

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Chairman

*K. L. Ferr*

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

*Mario Morris*

\_\_\_\_\_  
Member

*[Signature]*

\_\_\_\_\_  
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: April 19, 2013

*Allen Castrovillari*

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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.