



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

APPELLANT: Donald Wagner
DOCKET NO.: 10-00508.001-R-1
PARCEL NO.: 13-23-276-003

The parties of record before the Property Tax Appeal Board are Donald Wagner, the appellant, by attorney Robert W. McQuellon III, Peoria, and the Peoria 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 Peoria County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$35,180
IMPR: \$193,150
TOTAL: \$228,330

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a two-story brick and frame dwelling containing 4,161 square feet of living area that was built in 2000. Features include a full, partially finished basement; central air conditioning; a fireplace and a 952 square foot attached garage. The subject has a .57 acre or 24,829 square foot lot.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this claim, the appellant submitted three suggested comparable sales. The comparables consist of a one-story and two, two-story frame dwellings that were built in 2001 or 2002. The proximate location of the comparables was not disclosed. Two comparables have unfinished basements and one comparable has a partial finished basement. Other features include central air conditioning, one fireplace and garages that range in size from size from 668 to 800 square feet. The dwellings range in size from 2,904 to 3,723 square feet of living area. Comparables 3 was reported to have a .5 acre site. The appellant did not disclose the subject's or comparables' land sizes. The comparables sold from August 2008 to May 2009 for sale prices

ranging from \$414,000 to \$525,000 or from \$126.24 to \$142.74 per square foot of living area including land. 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 final assessment of \$228,330 was disclosed. The subject's assessment reflects an estimated market value of \$689,194 or \$165.63 per square foot of living area including land when applying Peoria County's 2010 three-year median level of assessment of 33.13%.

In support of the subject's assessment, the board of review submitted three suggested comparable sales with their associated property record cards. The comparables consists of one and one-half or two-story story frame or masonry dwellings that were built from 2000 to 2006. The comparables have finished basements, central air conditioning, one or two fireplaces and garages that range in size from size from 816 to 908 square feet. The dwellings range in size from 2,979 to 4,552 square feet of living area and have lots that range in size from .38 to .45 per acre of land area. The comparables sold from January 2009 to October 2011 for prices ranging from \$575,000 to \$815,000 or from \$162.28 to \$193.02 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 this appeal. The Board further finds no reduction in the subject's assessment 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). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. (86 Ill.Admin.Code §1910.65(c)). The Board finds the appellant has not met this burden of proof and no reduction in the subject's assessment is warranted.

The parties submitted six suggested comparable sales for the Board's consideration. The Board gave less weight to comparable 1 and 2 submitted by the appellant. These properties sold in 2008, which are dated and less reliable indicators of market value as of the subject's January 1, 2010 assessment date. Furthermore, comparable 1 is a dissimilar one-story dwelling and comparable 2 is a considerably smaller dwelling when compared to the subject. The Board also gave less weight to comparable 1 submitted by the board of review dues to its smaller dwelling size when compared to the subject. The Property Tax Appeal Board finds the remaining three comparable sales submitted by the

parties are more similar to the subject in design, age, size and features. These comparables sold from January 2009 to October 2011 for sale prices ranging from \$470,000 to \$815,000 or from \$126.24 to \$179.04 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$689,194 or \$165.63 per square foot of living area including land, which falls within the range established by the most similar comparables contained in the record. After considering any necessary adjustments to the comparables for differences when compared to the subject, the Board finds the subject's assessed valuation is supported by a preponderance of the evidence contained in this record. Therefore, no reduction in the subject's assessment 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.

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: July 19, 2013

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.