



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

APPELLANT: Eric Hanelt
DOCKET NO.: 10-00797.001-R-1
PARCEL NO.: 14-23-329-005

The parties of record before the Property Tax Appeal Board are Eric Hanelt, the appellant, by attorney Clyde B. Hendricks in 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: \$2,580
IMPR.: \$35,670
TOTAL: \$38,250

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story (raised ranch) dwelling of frame construction containing 1,688 square feet of living area. The dwelling was constructed in 1958. Features of the home include a partial unfinished basement, central air conditioning and an attached garage of 476 square feet of building area. The property has a .19 of an acre site and is located in Peoria, Richwoods Township, Peoria County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted information on three comparable sales described as one-story dwellings of masonry or frame construction that ranged in size from 1,436 to 1,792 square feet of living area. The dwellings were constructed from 1938 to 1952. One of the comparables has the same neighborhood code as the subject property. One of the comparables has a basement and two of the comparables have central air conditioning. One comparable has a fireplace and each property has a garage ranging in size from 252 to 864 square feet of building area. The comparables sold from February to May 2010 for prices ranging from \$23,900 to \$108,000 or from \$16.64 to \$60.26 per square foot of living area, including land. Based on this evidence, the

appellant requested a reduction in the subject's total assessment to \$28,330 or a market value of approximately \$84,990 or \$50.35 per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$38,250 was disclosed. The subject's assessment reflects a market value of \$115,454 or \$68.40 per square foot of living area, including land, when applying the 2010 three year average median level of assessment for Peoria County of 33.13% as determined by the Illinois Department of Revenue.

The board of review presented a two-page spreadsheet of nine comparable sales improved with one-story dwellings of masonry or frame construction that range in size from 1,248 to 1,806 square feet of living area. The dwellings were constructed from 1924 to 1982. The comparables are located from .66 to 6.23-miles from the subject property. Eight of the comparables include a full basement with some finished area. Each comparable has central air conditioning. Six comparables have one or two fireplaces. Seven of the properties are reported to have a garage. The comparables have sites ranging in size from .16 to .26 of an acre of land area. The comparables sold from June 2008 to October 2010 for prices ranging from \$109,000 to \$167,500 or from \$80.32 to \$103.65 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, the appellant criticized the board of review's comparable #1 for location and noted that its prior sale in 2003 was substantially lower as the property has since been updated. The appellant further noted that board of review comparables #2, #5, #6, #7, #8 and #9 are each "brick ranches" that differ from the subject's raised ranch design and frame construction in addition to being distant from the subject.

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's assessment is not 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); 86 Ill.Admin.Code §1910.63(e). 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board has given reduced weight to the appellant's comparables and board of review comparables #2, #3, #4, #5, #7, #8 and #9 due

to differences in design, foundation, features and/or size from the subject dwelling. The Board finds the board of review's comparables #1 and #6 are most similar to the subject in size, style, exterior construction, features and/or age. These properties also sold most proximate in time to the assessment date at issue. Due to the similarities to the subject, these two comparables received the most weight in the Board's analysis. The comparables sold for prices ranging of \$120,000 and \$156,500 or for \$85.05 and \$93.10 per square foot of living area, including land. The subject's assessment reflects a market value of \$115,454 or \$68.40 per square foot of living area, including land, which is below the range established by the best comparable sales in this record. Based on this record the Board finds the appellant did not demonstrate by a preponderance of the evidence that the subject was overvalued and a reduction in the subject's assessment is not justified.

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.

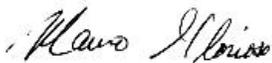


Chairman



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: May 24, 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.