



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

APPELLANT: Donald Holley
DOCKET NO.: 10-00844.001-R-1
PARCEL NO.: 14-22-351-014

The parties of record before the Property Tax Appeal Board are Donald Holley, 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: \$3,910
IMPR.: \$7,650
TOTAL: \$11,560**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story dwelling of frame construction containing 680 square feet of living area. The dwelling was constructed in 1924. Features of the home include an unfinished basement, central air conditioning and a 560 square foot garage. The property has a 9,250 square foot 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, one of which is located in the same neighborhood code assigned by the assessor as the subject. The comparables are described as one-story dwellings of frame construction that range in size from 609 to 700 square feet of living area. The dwellings were constructed from 1920 to 1947. Features of the comparables include an unfinished basement and one comparable has a 240 square foot garage. The comparables sold from July 2009 to January 2010 for prices ranging from \$17,100 to \$23,000 or from \$24.42 to \$37.76 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's total assessment to \$8,330 which would reflect a market value of approximately \$24,990 or \$36.75 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 \$11,560 was

disclosed. The subject's assessment reflects a market value of \$34,893 or \$51.31 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. (86 Ill.Admin.Code §1910.50(c)(1)).

The board of review presented information on six comparable sales improved with one-story dwellings, five of which were described as being of frame construction with no exterior type specified for comparable #3. The homes range in size from 646 to 872 square feet of living area. The dwellings were constructed from 1920 to 1949. Two of the comparables have the same neighborhood code as the subject property. Five of the comparables have an unfinished basement and four have central air conditioning. Five of the comparables also have a garage ranging in size from 240 to 572 square feet of building area. The comparables sold from March 2009 to March 2010 for prices ranging from \$38,800 to \$74,500 or from \$47.02 to \$110.21 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 contends based upon Multiple Listing Sheets applicable to the board of review's comparable sales that sales #1, #3, #5, and #6 have had numerous updates and/or upgrades that are not present in the subject. In addition, comparable #3 included a seller concession of \$3,500; comparable #5 has a finished basement; and comparable #6 has both a finished basement and a pool. As a final point, the appellant noted that based on the assessor's own records, each comparable is of a better "grade" than 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 met/did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted a total of nine sales for the Board's consideration. The Board has given less weight to board of review comparables #4, #5 and #6 which are superior to the subject in grade, age and/or amenities as reported by the appellant in rebuttal. The Board finds the appellant's comparables along with board of review comparables #1, #2 and #3

are the most similar properties to the subject in location, size, style, exterior construction, features and/or age. These properties also sold proximate in time to the assessment date at issue. Due to the similarities to the subject and proximity of the sale date to the date of valuation, these comparables received the most weight in the Board's analysis. These comparables sold for prices ranging from \$17,100 to \$57,500 or from \$24.42 to \$89.01 per square foot of living area, including land. The subject's assessment reflects a market value of \$34,893 or \$51.31 per square foot of living area, including land, which is within the range established by the best comparable sales in this record and well supported by board of review comparable #3 which is very similar to the subject in location, age, size and foundation although this property does not enjoy a garage which is present on the subject property.

Based on this record and analysis, the Property Tax Appeal 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.

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.