



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

APPELLANT: Seasons at Pine Creek LLC (Steve Zaubi)  
DOCKET NO.: 10-01487.001-C-3  
PARCEL NO.: 13-36.0-451-025

The parties of record before the Property Tax Appeal Board are Seasons at Pine Creek LLC (Steve Zaubi), the appellant, by attorney Robert W. McQuellon III of Peoria, and the Sangamon 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 Sangamon County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$197,928  
**IMPR:** \$768,742  
**TOTAL:** \$966,670

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a one-story commercial building containing 56,660 square feet of building area used as a senior living center. The building has 58 units. The property has a 204,734 square foot site and is located in Springfield, Capital Township, Sangamon County.

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. In support of this overvaluation argument the appellant submitted information on five comparable sales improved with health care, skilled nursing or rehabilitation facilities that had from 45 to 143 units. The comparables were located in Belleville, Aurora, Decatur, Oak Lawn and Palatine. The sales occurred from June 2009 to May 2011 for prices ranging from \$1,080,000 to \$6,500,000 or from \$15,652 to \$46,429 per unit. The appellant submitted a copy of a 2010 Assessment Notice disclosing the Sangamon County Board of Review issued a decision establishing a total assessment for the subject property of \$1,375,463, which reflects a market value of \$4,126,389 or \$71,145 per unit. Based on this evidence the appellant requested the subject's assessment be reduced to \$966,670, which reflects a market value of approximately

\$2,900,300 or \$50,005 per unit using the statutory level of assessments.

The board of review did not submit its "Board of Review Notes on Appeal" or any evidence in support of its assessed valuation of the subject property.

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 the evidence in the record supports a reduction in the subject's assessment.

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 (3<sup>rd</sup> Dist. 2002). Proof of the market value of the subject property may consist of an appraisal of the subject property as of the assessment date at issue. (86 Ill.Admin.Code 1910.65(c)(1)). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the only evidence of market value in the record is the comparable sales submitted by the appellant that had prices ranging from \$15,652 to \$46,429 per unit. The subject's assessment reflects a market value of \$71,145 per unit, which is above the range established by the comparable sales. The board of review did not submit any evidence in support of its assessment of the subject property or to refute the appellant's argument as required by section 1910.40(a) of the rules of the Property Tax Appeal Board and is found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board. (86 Ill.Admin.1910.40(a) & 69(a)). Based on this record the Property Tax Appeal Board finds a reduction in the subject's assessment commensurate with the appellant's request is appropriate.

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. Cuit*

Chairman

*Frank J. Huff*

Member

*Mark Morris*

Member

*JR*

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: March 22, 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.