



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

APPELLANT: Stephen & Janice Pinkous
DOCKET NO.: 10-02347.001-R-1
PARCEL NO.: 19-25-104-022

The parties of record before the Property Tax Appeal Board are Stephen and Janice Pinkous, the appellants; and the DeKalb 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 DeKalb County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND: \$19,744
IMPR.: \$30,256
TOTAL: \$50,000**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story single family dwelling of frame construction containing 1,996 square feet of living area. The dwelling is approximately 50 years old. Features of the property include a full basement that is 5% finished, central air conditioning and a two-car detached garage. The property has a 15,800 square foot site and is located in Sandwich, Sandwich Township, DeKalb County.

The appellants appeal is based on overvaluation with respect to the assessment for the 2010 tax year. In support of this argument the appellants submitted an appraisal estimating the subject property had a market value of \$135,000 as of September 9, 2010. The appraisal was prepared by Lloyd A. Champman, a State of Illinois Certified Residential Real Estate Appraiser. The appraisal was prepared for PNC Mortgage of Naperville, Illinois. The property rights appraised were the fee simple interest and the assignment type was for a refinance transaction. In estimating the market value of the subject property the appraiser developed the sales comparison approach to value.

Using the sales comparison approach the appraiser provided information on three comparable sales located in Sandwich. The comparables are described as being improved with ranch-style dwellings that range in size from 1,600 to 2,220 square feet of living area. The dwellings range in age from approximately 20 to

62 years old. Each comparable has a full basement with two being partially finished, central air conditioning and either a 2 or 2.5-car garage. The comparables have sites ranging in size from 11,180 to 17,316 square feet of land area. The comparables sold from October 2009 to July 2010 for prices ranging from \$150,000 to \$167,500 or from \$70.79 to \$93.78 per square foot of living area, including land. After making adjustments to the comparables for date of sale/time and differences from the subject the appraiser estimated the comparables had adjusted prices ranging from \$128,520 to \$137,500. Based on this data the appraiser estimated the subject property had an estimated value under the sales comparison approach of \$135,000.

Based on this evidence, the appellants requested a reduction in the subject's assessment to \$39,256.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$50,000 was disclosed. The subject's assessment reflects a market value of \$149,970 or \$75.14 per square foot of living area, including land, when applying the 2010 three year average median level of assessment for DeKalb County of 33.34% as determined by the Illinois Department of Revenue.

The board of review submitted a copy of the appellants' appraisal commenting that the appraisal was prepared for refinance purposes and not for ad valorem purposes. The board of review also commented that the appraisal had an effective date after the assessment date at issue and took out the negative time adjustments to each sale. The board of review removed the time adjustments to the comparable sales resulting in revised adjusted prices ranging from \$142,000 to \$153,520 or from \$67.01 to \$92.17 per square foot of living area, including land, and arrived at a market value of \$150,000. 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 the evidence in the record does not support a reduction in the subject's assessment.

The appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The appellants submitted an appraisal estimating the subject property had a market value of \$135,000 as of September 9, 2010. Initially, the Board finds the appraisal has an effective date nine months after the assessment date at issue. Second, the appraiser utilized the sales comparison approach to arrive at his estimate of value. The sales had varying degrees of similarity to the subject property. The comparables sold from October 2009 to July 2010 for prices ranging from \$150,000 to \$167,500 or from \$70.79 to \$93.78 per square foot of living area, including land. The appraiser made negative adjustments to each of the comparables for date of sale/time to the effective date of the report, indicating the market was deteriorating during this period. Based on this data and the adjustments for time the Board finds the appraisal understates the market value of the property as of the January 1, 2010 assessment date at issue.

The Board finds the comparable sales used by the appraiser sold relatively proximate in time to the January 1, 2010 assessment date. Their sales prices, ranging from \$150,000 to \$167,500 or from \$70.79 to \$93.78 per square foot of living area, including land, support the subject's assessment which reflects a market value of \$149,970 or \$75.14 per square foot of living area, including land. The subject's assessment reflects a market value within the range established by the sales on a per square foot basis. Based on this record the Board finds the appellants did not demonstrate by a preponderance of the evidence that the subject was overvalued as of January 1, 2010, 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

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: June 21, 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.