



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

APPELLANT: Hoogland Family 2006 Real Estate
DOCKET NO.: 10-04188.001-C-1
PARCEL NO.: 07-30-352-026

The parties of record before the Property Tax Appeal Board are Hoogland Family 2006 Real Estate, the appellant, by attorney Robert W. McQuellon III, Peoria; and the Jefferson 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 Jefferson County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$43,278
IMPR: \$106,722
TOTAL: \$150,000

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a one-story commercial building of masonry construction that was built in 2002 and contains 7,009 square feet of building area. The subject property is located in Mt. Vernon Township, Jefferson County, Illinois.

The appellant submitted evidence before the Property Tax Appeal Board claiming the subject's assessment is not reflective of fair market value. In support of the overvaluation argument, the appellant formulated a depreciated cost approach to value utilizing the Marshall & Swift Calculator Method. Under the cost approach, the subject property was estimated to have a market value of \$449,000. The appellant also submitted information for three suggested comparable sales located in Frankfort, Mattoon and Normal, Illinois. The one-story masonry commercial buildings range in size from 7,200 to 9,100 square feet of building area. The comparables sold from November 2006 to November 2008 for prices ranging from \$350,000 to \$615,000 or from \$48.61 to \$67.58 per square foot of building area including land.

The appellant also submitted the Jefferson County Board of Review's final decision regarding the subject property. The subject property has a total assessment of \$207,790, which reflects an estimated market value of \$623,432 or \$88.95 per square foot of building including land when applying the statutory level of assessments of 33.33%. Based on this evidence, the appellant requested a reduction in the subject's assessed valuation.

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 as required by section 1910.40(a) of the rules of the Property Tax Appeal Board. (86 Ill.Admin.Code §1910.40(a)). Therefore, the Jefferson County Board of Review was found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board. (86 Ill.Admin.Code §1910.69(a)).

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 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant in this appeal submitted documentation in the form of a depreciated cost approach to value and three suggested comparable sales to demonstrate the subject property's assessment was not reflective of fair market value. The cost approach conveyed an estimated market value of \$449,000. The three comparables sold for prices ranging from \$350,000 to \$615,000 or from \$48.61 to \$67.58 per square foot of building area including land. The subject property's assessment reflects an estimated market value of \$623,432 or \$88.95 per square foot of building area including land. The board of review did not submit any evidence in support of its assessment of the subject property as required by Section 1910.40(a) of the rules of the Property Tax Appeal Board or to refute the valuation evidence submitted by the appellant. (86 Ill.Adms.Code §1910.40(a)). Therefore, the Jefferson County Board of Review was found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board. (86 Ill.Admin.Code §1910.69(a)). The Board has examined the evidence contained in this record and finds that it supports a reduction in the assessed valuation of the subject property commensurate with the appellant's request.

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.