



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

APPELLANT: Kenneth & Nikki Rodgers
DOCKET NO.: 11-00037.001-R-1
PARCEL NO.: 17-2-20-15-02-201-012

The parties of record before the Property Tax Appeal Board are Kenneth and Nikki Rodgers, the appellants, by attorney Laura Schildz of the UAW Legal Services Plans, Sunset Hills, and the Madison 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 **Madison** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$13,160
IMPR.: \$34,170
TOTAL: \$47,330

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story single family dwelling of frame construction that contains approximately 1,565 square feet of living area. The dwelling was built in 2000. Features of the home include a full unfinished basement, central air conditioning and an attached 3+-car garage with 1,080 square feet of building area. The property has a 14,800 square foot site and is located in Granite City, Nameoki Township, Madison County.

The appellants are challenging the assessment for the 2011 tax year based on a contention of overvaluation. In support of this argument the appellants submitted an appraisal of the subject property prepared by real estate appraiser Joseph P. Pope estimating the subject property had a market value of \$142,000 as of August 31, 2011. Pope developed both the cost approach and the sales comparison approach in arriving at his estimate of value.

Under the cost approach the appraiser estimated the subject site had a market value of \$25,000 using sales or an allocation method. The replacement cost new of the improvements was estimated to be \$146,400 using the Marshall Swift Residential

Cost Handbook and information obtained from local builders and contractors.¹ Physical depreciation was estimated to be \$20,496 which was deducted from the replacement cost new to arrive at a depreciated cost of the improvements of \$125,514. To this the appraiser added \$5,000 for the value of the site improvements and the site value to arrive at an estimated value under the cost approach of \$155,500.

In estimating the value of the subject under the sales comparison approach the appraiser used four sales and two listings. The comparables were improved with one-story dwellings located in Granite City that ranged in size from 1,456 to 1,920 square feet of living area. The dwellings ranged in age from 7 to 34 years old. Five comparables had a full basement and one comparable had a slab foundation. Each comparable had central air conditioning, three comparables each had one fireplace and each comparable had either a two-car or a three-car garage. Comparables #1, #2, #3 and #6 sold from September 2010 to June 2011 for prices ranging from \$142,000 to \$154,900 or from \$76.04 to \$101.65 per square foot of living area, including land. Comparables #4 and #5 were listings that had prices of \$165,000 and \$224,900 or for \$106.52 and \$140.56 per square foot of living area, including land, respectively. After making adjustments to the comparables for differences from the subject and for the fact two comparables were listings the appraiser arrived at adjusted prices ranging from \$137,900 to \$148,900. Based on these sales the appraiser estimated the subject property had an indicated value under the sales comparison approach of \$142,000.

In reconciling the two approaches to value the appraiser gave most weight to the sales comparison approach and arrived at an estimated value of \$142,000 as of August 31, 2011. Based on this evidence the appellants requested the subject's assessment be reduced to \$47,330 to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$54,900 was disclosed. The subject's assessment reflects a market value of \$164,815 or \$105.31 per square foot of living area, including land, using the 2011 three year average median level of assessments for Madison County of 33.31%.

In rebuttal the board of review asserted appraisal comparable sale #1 was the only sale located within the subject's neighborhood.

The board of review submitted three comparable sales in support of the assessment. Board of review comparable sale #2 is the same comparable as appraisal comparable sale #4, a listing. The three comparables were improved with one-story dwellings that

¹ The appraisal had a second cost approach resulting in an estimate of value of \$155,500; however, this value was calculated using a smaller size for the dwelling and garage. Furthermore, this value was not used by the appraiser in the reconciliation. The Board did not further considered this approach.

were located in the subject's subdivision that ranged in size from 1,314 to 1,549 square feet of living area. The comparables were constructed from 2001 to 2011. Each comparable had a full basement, central air conditioning and an attached two-car garage that range in size from 484 to 630 square feet of building area. Two of the comparables each have a fireplace. These properties sold from September 2010 to November 2011 for prices ranging from \$150,000 to \$190,000 or from \$96.84 to \$129.38 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal the appellants submitted information disclosing the subject's 2012 assessment was reduced to \$47,330.

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 the appeal. The Board further finds the evidence in the record supports 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). 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value in this record is the appraisal of the subject property submitted by the appellants. The appraiser developed both the cost approach to value and the sales comparison to value in arriving at an estimate of value of \$142,000 as of August 31, 2011. The appraiser placed most emphasis on the sales comparison approach to value in which he used four sales and two listings to arrive at his estimate of value. The Board finds the appraised value is less than the market value reflected by the subject's assessment for the 2010 tax year.

The Board gave less weight to the sales submitted by the board of review in that the sales were unadjusted for differences from the subject. The Board also finds board of review comparable sale #2 that sold in October 2011 for a price of \$150,000 was also used by the appellants' appraiser as his comparable sale #4, which was a listing for a price of \$165,000. The Board finds this sale supports the appraiser's value conclusion. The Board gave little weight to the board of review comparable sale #3 due to the fact the dwelling was a new home at the time of sale based on the fact it was built in 2011 and sold in November 2011. The Board also finds the fact that the subject's 2012 assessment was reduced by Madison County assessment officials to \$47,330 further supports the conclusion the 2011 assessment was excessive.

Docket No: 11-00037.001-R-1

Based on this record the Board finds a reduction in the subject's assessment commensurate with the appellants' 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. [unclear]

Member

Mark [unclear]

Member

[unclear]

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

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.