



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

APPELLANT: Lyle Ward
DOCKET NO.: 11-00072.001-R-1
PARCEL NO.: 14-2-15-27-01-101-038

The parties of record before the Property Tax Appeal Board are Lyle Ward, the appellant, and the Madison 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 **Madison** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$26,380
IMPR: \$85,300
TOTAL: \$111,680

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story single family dwelling of frame and brick construction containing 2,746 square feet of above grade living area. The dwelling was constructed in 2000. Features of the home include a basement that is partially finished with 660 square feet of living area, central air conditioning, one fireplace and a three-car attached garage. The property has a site with approximately 16,952 square feet of land area and is located in Glen Carbon, Edwardsville Township, Madison County.

The appellant appeared before the Property Tax Appeal Board contending overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales described as two-story dwellings of frame and brick construction that ranged in size from 1,878 to 2,608 square feet of above grade living area. The dwellings ranged in age from approximately 2 to 11 years old. Each comparable is located in the same subdivision as the subject property. Each of the comparables has a full basement that is partially finished with 609 to 956 square feet of living area. Each

comparable also has central air conditioning, one fireplace and a three-car attached garage. The comparables sold from August 2011 to October 2011 for prices ranging from \$257,000 to \$300,000 or from \$98.54 to \$151.76 per square foot of above grade living area, including land. At the hearing the appellant asserted he had been following sales and that the prices reflected values that were approximately \$50,000 below the market values reflected by the assessed values. Based on this evidence, the appellant requested a reduction in the subject's total assessment to \$86,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$111,680 was disclosed. The subject's assessment reflects a market value of \$335,375 or \$122.10 per square foot of above grade living area, including land, when applying the 2011 three year average median level of assessment for Madison County of 33.31% as determined by the Illinois Department of Revenue. Appearing on behalf of the board of review was board chairman Kerry Miller. Mr. Miller explained that board of review ultimately issued an amended decision reducing the assessment of the subject property to \$113,320 based on appraisal of the subject property presented by the appellant estimating the subject property had a market value of \$340,000 as of October 27, 2010. The assessment was subsequently reduced to \$111,680 by a township equalization factor of .9855. Mr. Miller compared the subject property and the comparables using the combined above grade and below grade living areas of the properties. (See Board of Review Exhibit A.) Miller calculated the subject as having a total living area of 3,406 square feet and with the comparables having total living areas ranging from 2,778 to 3,564 square feet. Mr. Miller testified the subject property had an improvement assessment of \$25.04 per square foot of total living area and the comparables had equalized improvement assessments ranging from \$23.83 to \$31.61 per square foot of total living area. These properties had prices ranging from \$72.11 to \$105.08 per square foot of total living area, including land, and the subject property had an assessment reflecting a market value of \$98.47 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After hearing the testimony 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the appellant submitted comparables that are relatively similar to the subject in location, size, style, exterior construction, features and age. These properties sold in August 2011 and October 2011 for prices ranging from \$257,000 to \$300,000 or from \$98.54 to \$151.76 per square foot of above grade living area or from \$72.11 to \$105.08 per square foot of total living area, including land. The subject's assessment reflects a market value of \$335,375 or \$122.10 per square foot of above grade living area and \$98.38 per square foot of total living, including land, which is within the range established by the comparable sales on a per square foot basis. Testimony also disclosed the appellant had submitted to the board of review an appraisal estimating the subject property had a market value of \$340,000 as of October 2010, which is supportive of the subject's assessment reflecting a market value of \$335,375. Based on this record the Board finds the appellant did not demonstrate by a preponderance of the evidence that the subject property 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.

Ronald R. Cuit

Chairman

K. L. Fern

Member

Tracy 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: February 21, 2014

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.