



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

APPELLANT: Sam Property Group  
DOCKET NO.: 11-01071.001-R-1  
PARCEL NO.: 14-33-278-029

The parties of record before the Property Tax Appeal Board are Sam Property Group, the appellant, by attorney Clyde B. Hendricks in Peoria, and the Peoria 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 **Peoria** County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND: \$2,640  
IMPR: \$7,360  
TOTAL: \$10,000**

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a one-story<sup>1</sup> dwelling of frame construction containing 1,213 square feet of living area. The dwelling was constructed in 1900. Features of the home include a basement, central air conditioning and a 396 square foot detached garage. The property has a 4,356 square foot site and is located in Peoria, City of Peoria Township, Peoria County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on June 1, 2009 for a price of \$21,420. The appellant completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, the property was sold using a Realtor, the property had been advertised on the open market with the Multiple Listing Service and it had been on the market for 66 days. In further

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<sup>1</sup> The subject property is described as a one-story bungalow with 338 square feet of living area on the second floor.

support of the transaction the appellant submitted a copy of the Illinois Real Property Transfer Declaration. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$10,000 was disclosed. The subject's assessment reflects a market value of \$30,331 or \$25.00 per square foot of living area, including land, when applying the 2011 three year average median level of assessment for Peoria County of 32.97% as determined by the Illinois Department of Revenue.

In support of the assessment the board of review submitted information on 11 comparable sales improved with 9, one-story<sup>2</sup> and 2, two-story dwellings of frame or masonry construction that range in size from 1,008 to 1,360 square feet of living area. The dwellings were constructed from 1900 to 1930. The comparables are located from .13 to .39-miles from the subject property and two of the comparables are located on the same street. The comparables include a full or partial basement. Ten of the comparables have central air conditioning. Four comparables have a fireplace. Nine of the comparables have detached garages ranging from 220 to 572 square feet of building area. The comparables have sites ranging in size from 3,485 to 8,712 square feet of land area. The comparables sold from May 2010 to July 2012 for prices ranging from \$25,000 to \$78,000 or from \$21.08 to \$62.10 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal the appellant submitted a letter and six multiple listing sheets of the board of review's comparables arguing that the basis of the appeal was a recent sale.

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 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

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<sup>2</sup> Six of the nine one-story dwellings have living area on the second floor.

Appeal Board, 331 Ill.App.3d 1038 (3<sup>rd</sup> 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 has not met this burden of proof and a reduction in the subject's assessment is not warranted.

The Board gave less weight to the subject property's sale. This sale occurred in June 2009, which is less indicative of fair market value as it occurred 18 months prior to the January 1, 2011 assessment date. The Board finds the best evidence of market value in the record to be the comparable sales submitted by the board of review. The Board finds the board of review submitted 11 suggested sale comparables for consideration. The Board gave less weight to comparables #4, #6 and #11. These comparables are a one-story design with no living area on the second floor, unlike the subject. The Board finds the remaining comparables submitted by the board of review have varying degrees of similarity when compared to the subject in location, size, style, exterior construction, features and age. These properties also sold on dates that bracket the assessment date of January 1, 2011. Due to the similarities to the subject, these comparables received the most weight in the Board's analysis. The comparables sold for prices ranging from \$25,000 to \$78,000 or from \$21.08 to \$62.10 per square foot of living area, including land. The subject's assessment reflects a market value of \$30,331 or \$25.00 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. After considering adjustments to the comparables in size, design, age, land area and features the subject's estimated market value is supported. Based on this record the Board finds the appellant did not demonstrate by a preponderance of the evidence that the subject 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.



Chairman



Member



Member



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: January 24, 2014



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.