



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

APPELLANT: James R. Hussey
DOCKET NO.: 11-01223.001-R-1
PARCEL NO.: 14-21-257-005

The parties of record before the Property Tax Appeal Board are James R. Hussey, 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: \$3,620
IMPR.: \$16,030
TOTAL: \$19,650

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a one-story frame dwelling containing 725 square feet of living area. The home was built in 1950 and has a 352 square foot detached garage. The home is situated on a .14 acre lot located in Richwoods Township, Peoria County, Illinois.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this claim, the appellant submitted three suggested comparable sales, one of which is located in the same assessment neighborhood code as the subject as defined by the local assessor. The proximity of the comparables to the subject was not disclosed. The comparables consist of one-story frame dwellings containing from 720 to 1,056 square feet of living

area. The homes were built from 1940 to 1973. One comparable has a full unfinished basement and two do not have a basement. One comparable has central air conditioning and two comparables have detached garages of 280 or 320 square feet of building area. The comparables sold from May 2009 to February 2011 for prices ranging from \$34,000 to \$52,900 or from \$28.12 to \$73.47 per square of living area including land.

Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's assessment of \$19,650 was disclosed. The subject's assessment reflects an estimated market value of \$59,600 or \$82.21 per square foot of living area including land using Peoria County's 2011 three-year median level of assessments of 32.97%.

As to the appellants' evidence, the board of review argued comparable #1 was an old 2009 sale, #2 was a "repo" sale with a dissimilar two-story design and #3 was built in 1973. In addition, comparables #2 and #3 are located in different neighborhoods than the subject.

In support of the subject's assessment, the board of review submitted a grid analysis of three suggested comparable sales located in the same assessment neighborhood code as the subject as defined by the local assessor. The proximity of the comparables to the subject was not disclosed. The comparables consist of one-story frame dwellings that were built in 1948 or 1949. They contain from 676 to 910 square feet of living area. The comparables have garages ranging in size from 250 to 352 square feet of building area. The comparables sold from February to November of 2010 for prices ranging from \$59,500 to \$84,800 or from \$68.55 to \$96.15 per square of living area including land.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant argued that the appellant's comparable #2 is a one-story. In addition, the board of review's comparable #1 was on the market for "0" days, #2 sold in 21 days on the market after having improvements and #3 has improvements that the subject lacks.

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 no reduction in the subject's assessment is warranted.

The appellant argued the subject property is overvalued. When market value is the basis of the appeal, the value 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). After an analysis of the evidence, the Board finds the appellant has not overcome this burden.

The record contains six suggested comparable sales for the Board's consideration. The Board gave less weight to the appellant's comparables. Comparable #1 sold greater than 19 months prior to the subject's January 1, 2011 assessment date. Sales #2 and #3 are significantly larger dwellings when compared to the subject. In addition, sale #2 has a dissimilar basement foundation and sale #3 is considerably newer when compared to the subject. The Board gave less weight to the board of review's sale #1 due to its lack of marketing exposure. The Board finds the remaining two comparables submitted by the board of review were more similar to the subject in location, design, size, age and features. The comparables sold in June and November of 2010 for prices of \$59,500 and \$84,800 or \$68.55 and \$93.19 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$59,600 or \$82.21 per square foot of living area including land, which is supported by the best comparables in this record. After considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is justified and no reduction is warranted.

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: March 21, 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.