



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

APPELLANT: David Isom
DOCKET NO.: 11-01317.001-R-1
PARCEL NO.: 11-05-200-009

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

LAND: \$5,050
IMPR.: \$41,620
TOTAL: \$46,670

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story pole frame dwelling of steel exterior construction with a steel roof. The home contains 1,280 square feet of living area and was constructed in 2010. Features of the home include a concrete slab foundation, central air conditioning and an attached two-car garage/barn of 1,280 square feet of building area. The property has an 8.47-acre site with a pond and is located in Mulkeytown, Denning Township, Franklin County.

The appellant's appeal is based on overvaluation and the appellant also submitted documentation challenging the size of the subject property and, as a consequence of the size error, the assessor's cost basis that was reported for the property.

In support of the market value, the appellant partially completed Section VI - Recent Construction reporting that the land was purchased in 2009 for \$1.00 and the building was erected in 2010 for a total building cost of \$50,000. The building cost reportedly included costs for construction, contractor's fees, architectural or engineering fees, landscaping and/or building permits. Section VI also states "You must supply a Contractor's Affidavit or a written summary of the total cost to the Property Tax Appeal Board." The appellant submitted two documents: (1) a copy of a proposal from Steinmetz Construction in Christopher,

Illinois to build a 2,560 square foot "post and frame construction" building consisting of 1,280 square feet of living area and a 1,280 square foot garage for a total of \$91,300 and (2) an estimate from K-5 Enterprises & Construction in Mulkeytown, Illinois for a post frame building of 40 x 64 x 8 feet with various other features and a total estimate of \$85,248.

The appellant also reported that the building was completed in 2010 and the owner or a family member acted as the general contractor for an estimated value of that service of \$15,000. In addition, non-compensated labor was performed by the appellant, but contrary to the requirements of Section VI, the appellant did not provide an estimate of the value of that labor.

Given the information that was provided in Section VI, the appellant reported a total investment of \$65,000 which does not include the value of the non-compensated labor which the appellant provided to the project.

The appellant also included a brief wherein he contended that the assessing officials treated the subject dwelling as containing 5,000 square feet of living area which is "almost 2 times the actual size." The appellant contends that the dwelling actually contains a total of 2,560 square feet. As depicted in an attached schematic drawing, the dwelling consists of 1,280 square feet of living area and the attached garage also consists of 1,280 square feet of building area. As part of this submission, the appellant included a copy of the subject's property record card that depicts the dwelling as containing 2,500 square feet and the garage/barn containing 2,500 square feet. Also submitted was a Visual PAMSPRO Property Valuation Worksheet that depicted the home as containing 2,500 square feet and a heating cost for 5,000 square feet. With the various components, this valuation worksheet depicted a total indicated value of \$154,675.40 for the subject, including the land.

In the brief, the appellant argued the base cost calculations should reflect a dwelling size of 1,280 square feet and a similar size for heating resulting in a total base cost of \$60,336 with additional components and the land for a total value of \$78,706.40. Thus, based on this evidence, the appellant requested a reduction in the subject's total assessment to \$26,232.81 which would reflect a market value of approximately \$78,706 at the statutory level of assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$46,670 was disclosed. The subject's assessment reflects a market value of \$139,397 or \$108.90 per square foot of living area, including land, when applying the 2011 three year average median level of assessment for Franklin County of 33.48% as determined by the Illinois Department of Revenue. (86 Ill.Admin.Code §1910.50(c)(1)).

In support of the subject's assessment, the board of review reported that the value of the appellant's appraisal was accepted and applied to the subject property for 2011. As its evidence, the board of review submitted a copy of an appraisal of the subject property which was prepared by R. Gregory Prince, an Illinois Certified Residential Real Estate Appraiser, with an estimated market value for the subject of \$140,000 as of November 29, 2011.

The appraiser reported the subject dwelling was built in 2006. At the time of the report, the appraiser noted that one bath was unfinished "lacking the toilet, sink and floor covering." Thus, for the appraisal it was considered as a storage closet as the appellant stated "it wasn't to be finished for a while" and since there was a working bath, this was not considered to be a necessary repair. Cost to finish was estimated to be \$1,600. The appraiser also indicated the property did not generally conform to the neighborhood in that "pole frame construction is still uncommon in the market. It is better received in years prior. Still a modest adjustment is necessary as compared to conventional construction."

Under the cost approach the appraiser estimated the subject had a site value of \$25,410. The appraiser estimated the replacement cost new of the improvements to be \$125,260. The appraiser estimated depreciation to be \$16,284 consisting of both physical depreciation and functional depreciation resulting in a depreciated improvement value of \$108,976. The appraiser also estimated the site improvements had a value of \$5,000. Adding the various components, the appraiser estimated the subject property had an estimated market value of \$139,400 under the cost approach to value.

Using the sales comparison approach the appraiser provided information on three comparable sales located from 14 to 22 miles from the subject property. The appraiser reported that research was done for sales of pole frame dwellings in both Franklin and Williamson Counties; only one sale of this type was found even though the search was expanded to the entire region. The comparables were described as pole frame or frame dwellings that range in size from 1,040 to 2,408 square feet of living area. The dwellings were 5 to 33 years old. One of the comparables has a walkout style basement with finished area. Each home has central air conditioning and a one-car garage, a two-car garage or a two-car garage along with a carport. Comparable #2 also has a pole barn and comparable #3 has a barn. These comparables have sites ranging in size from 9.2 to 10.24-acres of land area. The comparables sold from December 2010 to November 2011 for prices ranging from \$110,000 to \$173,000 or from \$57.89 to \$137.02 per square foot of living area, including land.

The appraiser reported that sale #2 was in need of replacement floor coverings and other minor repairs and sale #3 was more comparable to the subject other than its basement. After making adjustments to the comparables for differences in lot size,

exterior construction, age, condition, room count, dwelling size, foundation and below grade finish, functional utility, and other amenities from the subject the appraiser estimated the comparables had adjusted prices ranging from \$100,600 to \$160,000 or from \$52.95 to \$135.00 per square foot of living area, including land. Based on this data the appraiser estimated the subject had an estimated value under the sales comparison approach of \$140,000.

In reconciling the two approaches to value the appraiser gave most weight to the sales comparison approach to value and estimated the subject property had a market value of \$140,000 as of November 29, 2011. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 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 appellant sought to establish the market value of the subject property with recent construction cost data. As described above, the appellant's submission lacked necessary documentation of a contractor's affidavit or other substantive evidence of the actual construction costs of \$50,000 which the appellant reported in Section VI. Instead, the appellant submitted two cost estimates for construction of the subject property which were \$91,300 and \$85,248, respectively. To the extent that the appellant seeks to have the Property Tax Appeal Board rely upon his construction costs of \$50,000 plus \$15,000 for general contractor services, the appellant failed to provide a value applicable to the non-compensated labor he performed in the construction of the dwelling. Thus, in summary, the Board finds that the appellant's recent construction cost data presented in this matter is severely understated and not supported by the estimates of contractors to construct the subject dwelling and garage.

The board of review submitted a copy of the appraisal of the subject property with an estimated value of \$140,000 which the appellant presented to the board of review. The Property Tax Appeal Board finds the best evidence of the market value of the subject property in the record is the appraisal submitted by the

board of review which considered both the cost and sales comparison approaches to value and made reasonable adjustments for differences from the subject property in arriving at an estimated market value conclusion for the subject property. Moreover, this value conclusion is not contradicted by the estimates to construct the subject dwelling of \$91,300 and \$85,248 which would not include the value of 8.47-acres of land area.

In conclusion, 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.

Donald R. Cuit

Chairman

K. L. Fern

Member

Frank 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: October 18, 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.