



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

APPELLANT: LaVerne Harvey
DOCKET NO.: 11-01400.001-R-1
PARCEL NO.: 22-07.0-476-008

The parties of record before the Property Tax Appeal Board are La Verne Harvey, the appellant, and the Sangamon 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 **Sangamon** County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND: \$8,285
IMPR.: \$50,513
TOTAL: \$58,798**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story single-family dwelling of frame and masonry construction containing approximately 2,432 square feet of living area.¹ The dwelling was constructed in 1966. Features of the home include an unfinished partial basement, central air conditioning, a fireplace and an attached two-car garage. The property has an 11,222 square foot site and is located in Springfield, Capital Township, Sangamon County.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted an appraisal estimating the subject property had a market value of \$148,000 as of March 14, 2012. The appraisal was prepared by Gene C. Hurt, a State of Illinois Certified Residential Real Estate Appraiser. In estimating the market value of the subject property, the appraiser developed the cost and the sales comparison approaches to value.

¹ The appellant's appraiser reported a dwelling size of 2,540 square feet supported by a schematic whereas the board of review reported a dwelling size of 2,432 square feet supported by a copy of the subject's property record card with a schematic. The Board finds the slight difference in size is not relevant to determining the subject's correct assessment for this appeal.

As to the subject dwelling, the appraiser noted no visible repairs were needed, but the "basement gets water when it rains." The appraiser noted physical depreciation to be 25% and external (economic) depreciation to be 5%.

Under the cost approach, the appraiser estimated the subject had a site value of \$17,500. The appraiser estimated the reproduction cost new of the improvements to be \$186,600. The appraiser estimated both physical and external depreciation to be \$55,980 resulting in a depreciated improvement value of \$130,620. The appraiser also estimated the site improvements had a value of \$3,000. Adding the various components, the appraiser estimated the subject property had an estimated market value of \$151,120 under the cost approach to value.

Using the sales comparison approach, the appraiser provided information on three comparable sales located either 5 blocks or ¼ of a mile from the subject property. The comparables were described as two-story dwellings that range in size from 2,116 to 2,708 square feet of living area. The dwellings range in age from 20 to 32 years old. Two of the comparables have a basement and one has a crawl-space foundation. Each home has central air conditioning and a two-car or a three-car garage. Comparable #2 has an in-ground pool and presumably comparable #3 has a fireplace like the subject as it was noted in this category to be "equal." The comparables have sites ranging in size from 12,000 to 12,600 square feet of land area. The comparables sold from July 2011 to February 2012 for prices ranging from \$147,500 to \$167,000 or from \$57.61 to \$75.48 per square foot of living area, including land.

After making adjustments to the comparables for differences from the subject in lot size, dwelling size, foundation and/or other amenities, the appraiser estimated the comparables had adjusted prices ranging from \$133,000 to \$162,727 or from \$49.11 to \$76.90 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 \$145,000.

In reconciling the two approaches to value, the appraiser estimated the subject property had a market value of \$148,000 as of March 14, 2012.

Based on this evidence, the appellant requested a reduction in the subject's total assessment to \$49,333 which would reflect the appraised value conclusion.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total equalized assessment of \$58,798 was disclosed. The subject's equalized assessment reflects a market value of \$175,884 or \$72.32 per square foot of living area, including land, when applying the 2011 three year average median level of assessment for Sangamon County of 33.43% as determined by the Illinois Department of Revenue.

In support of the subject's assessment the board of review submitted information on three comparable sales. The comparables are improved with a one-story and two, two-story dwellings of frame construction that range in size from 1,680 to 2,128 square feet of living area. The dwellings were constructed from 1968 to 1986. Two of the comparables have basements with finished area.² Comparable #2 presumably has central air conditioning as the grid notes "central air adj" for comparables #1 and #3. Each home has a fireplace and a garage. These three comparables sold from April 2011 to May 2012 for prices ranging from \$146,000 to \$182,500 or from \$80.04 to \$86.90 per square foot of living area, including land.

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.

Upon examining the appraisal report, the Board finds that appraisal sales #2 and #3 differ substantially from the subject in design and features, in addition to differences in age, dwelling size, foundation and other items. Moreover, the Board finds the appraiser made few if any adjustments for these differences in order to seek to find commonality with the subject. Due to lack of adjustments for several of these differences, the Board finds that the final value conclusion presented by the appraiser makes the appraiser's final conclusion less credible and thus, the Board finds that the appraised value is not a reliable indicator of the subject's estimated market value. As a consequence of this finding, the most similar raw sales presented in the appraisal will be compared along with the raw sales presented by the board of review.

The Board finds the best evidence of market value in the record to be appraisal sale #1 along with board of review comparable sales #1 and #2. The Board has given less weight to appraisal

² It is noted that the computer generated grid analysis presented by the board of review is difficult to decipher with notations of "non-bsmt area" and "finished bsmt."

sales #2 and #3 due to differences as discussed above in design, age and features. Similarly, the Board has given less weight to board of review comparable #3 which is a one-story dwelling as compared to the subject's two-story design and this dwelling is also substantially smaller than the subject home.

These three most similar comparables were most similar to the subject in location, size, style, exterior construction, features, age and/or land area. These properties also sold on dates that bracket the assessment date of January 1, 2011. Due to the similarities to the subject and dates of sale, these three comparables received the most weight in the Board's analysis.

The comparables sold for prices ranging from \$159,727 to \$182,500 or from \$75.48 to \$85.76 per square foot of living area, including land. The subject's equalized assessment reflects a market value of \$175,884 or \$72.32 per square foot of living area, including land, which is within the range established by the best comparable sales in terms of overall value and below the comparables on a per-square-foot basis. The Board further finds that the subject dwelling is larger than each of these three most similar comparables and accepted real estate valuation theory provides that all factors being equal, as the size of the property increases, the per unit value decreases. In contrast, as the size of a property decreases, the per unit value increases.

Thus, based on this record and giving most weight to the three most similar comparable sales, 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: December 20, 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.