



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

APPELLANT: Thomas Bailey
DOCKET NO.: 11-01484.001-R-1
PARCEL NO.: 21-02.0-151-005

The parties of record before the Property Tax Appeal Board are Thomas Bailey, 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: \$16,167
IMPR.: \$82,940
TOTAL: \$99,107

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story single-family dwelling of frame and masonry construction containing 2,408 square feet of living area. The dwelling was constructed in 2010. Features of the home include an unfinished basement, central air conditioning, a fireplace and a three-car garage. The property has an 11,560 square foot site and is located in Springfield, Capital Township, Sangamon County.

As set forth in Section 2d of the Residential Appeal petition, the appellant's appeal is based upon overvaluation, citing both comparable sales and recent construction as evidence in support of the appeal.¹

For the comparable sales data, the appellant partially completed the Section V grid analysis regarding four suggested comparables and attached printouts from the Multiple Listing Service. Each of the comparables is located on the same street as the subject property. Based on the underlying data sheets, the comparables are one-story dwellings of frame and masonry construction that range in size from 2,022 to 2,133 square feet of living area.

¹ While in a cover letter, the appellant made reference to the assessments of the comparables, the appellant did not note "assessment equity" as a basis of the appeal. "Each appeal shall be limited to the grounds listed in the petition filed with the Property Tax Appeal Board." (35 ILCS 200/16-180).

Two of the dwellings were described as new construction, one was 2 years old and one had an "unknown" age. Features of the comparables include a full basement, one of which is partially finished. Each home has central air conditioning and three comparables have one or two fireplaces. The properties have 3-car or 3.5-car garages. The comparables have sites ranging in size from 11,859 to 14,850 square feet of land area. The comparables sold from August 2010 to February 2012 for prices ranging from \$262,500 to \$282,000 or from \$128.54 to \$138.48 per square foot of living area, including land.

As to recent construction, the appellant reported the land was purchased in 2009 for \$34,900 and the subject dwelling was constructed in 2010 for a cost of \$242,000 as shown by the copies of the purchase contract for the vacant lot and one page of the contract with the contractor and a copy of a check to Mudd Home Builders for \$241,454.28. Based on this data, the appellant contended that the entire costs were \$277,000 for the subject property.

Based on this evidence, the appellant requested a reduction in the subject's total assessment to \$92,334 which would reflect a market value of approximately \$277,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total equalized assessment of \$99,107 was disclosed. The subject's equalized assessment reflects a market value of \$296,461 or \$123.12 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.

The board of review presented information on three comparables in a computer printout grid.² Comparable #1 was also presented by the board of review as its comparable #3; this property was also presented by the appellant as his comparable #4. In addition, board of review comparable #2 was presented by the appellant as his comparable #3. The board of review's data agreed with the date of sale and sale price reported in the appellant's documentation. However, in the board of review's evidence, these two comparables were built in 2010 and 2008 and contain 2,055 and 1,977 square feet of living area, respectively. Thus, according to the board of review these properties sold for prices of \$136.25 and \$132.78 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

² The board of review also presented assessment equity data and additional documentation entitled "Assessment Calculation Report(s)" which have not been addressed as the appellant's appeal is based on market value.

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.

As to the recent construction costs presented by the appellant, the Board finds the appellant failed to submit a Contractor's Affidavit or written summary of the total costs of construction. The appellant's submission of one page entitled Agreement and General Conditions Between Contractor and Buyer with a copy of a check to Mudd Home Builders on the bottom portion of that one page is not sufficient to establish the totality of the costs of construction.

As to the comparable sales evidence, the Board finds the parties submitted a total of four comparables for consideration. Each of the comparables is smaller than the subject dwelling by about 300 square feet of living area. These four comparables sold for prices ranging from \$262,500 to \$282,000 or from \$128.54 to \$136.25 per square foot of living area, including land. The subject's equalized assessment reflects a market value of \$296,461 or \$123.12 per square foot of living area, including land, which is above the range established by the comparable sales in this record in terms of overall value, but below the range on a per-square-foot basis. Giving due consideration to the sales data, the Board finds that the subject's estimated market value as reflected by its equalized assessment appears justified in light of the subject's larger dwelling size. 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.

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.

Ronald 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.