



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

APPELLANT: Joan Canterbury  
DOCKET NO.: 11-05566.001-R-1  
PARCEL NO.: 07-07-200-018-000

The parties of record before the Property Tax Appeal Board are Joan Canterbury, the appellant; and the Monroe County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the **Monroe** County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$14,130  
**IMPR.:** \$47,398  
**TOTAL:** \$61,528

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of an owner occupied residence located in Waterloo Township, Monroe County, Illinois.

The appellant submitted evidence before the Property Tax Appeal Board claiming the subject's assessment is not reflective of fair market value. In support of this claim, the appellant completed section IV of the residential appeal petition and submitted a settlement statement pertaining to the sale of the subject property. The evidence revealed the subject property sold on February 13, 2009 for \$189,900. The evidence disclosed the subject property was listed for sale in the open market for eight months through a Realtor and the sale was not a transfer between family or related corporations. The appellant's evidence further revealed that subsequent to the sale a wood deck was replaced for a cost of \$3,619 (rounded). Therefore the subject's acquisition and repair cost totaled \$193,518.

Based on this evidence, the appellant requested a reduction in the subject's assessment to \$60,230, which reflects an estimated market value of approximately \$180,690.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's assessment of \$83,570 was disclosed. The subject's assessment reflects an estimated market value of \$257,932 when applying Monroe County's 2011 three year median level of assessments of 32.40%. In response to the appeal, the board of review confirmed that the subject property sold for \$189,900 in February 2009, which they opined was in the three-year acceptable time limit. The board of review also explained that the replacement of the existing deck did not increase or decrease the subject's property value. Therefore, the board of review requested the subject's assessment be reduced to \$63,000 to reflect its 2009 sale price.

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 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 (3<sup>rd</sup> Dist. 2002). 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Property Tax Appeal Board finds the best evidence of the subject's fair market value contained in this record is the subject's February 2009 sale price of \$189,900. The Illinois Supreme Court has defined fair cash value as what the property would bring at a voluntary sale where the owner is ready, willing, and able to sell but not compelled to do so, and the buyer is ready, willing and able to buy but not forced to do so. Springfield Marine Bank v. Property Tax Appeal Board, 44 Ill.2d. 428, (1970). A contemporaneous sale of property between parties dealing at arm's-length is a relevant factor in determining the correctness of an assessment and may be practically conclusive on the issue of whether an assessment is reflective of market value. Rosewell v. 2626 Lakeview Limited Partnership, 120 Ill.App.3d 369 (1<sup>st</sup> Dist. 1983), People ex rel. Munson v. Morningside Heights, Inc., 45 Ill.2d 338 (1970), People ex rel. Korzen v. Belt Railway Co. of Chicago, 37 Ill.2d 158 (1967); and People ex rel. Rhodes v. Turk, 391 Ill. 424 (1945). The Property Tax Appeal Board finds there is no evidence in this record showing the subject's sale was not an arm's-length transaction. Furthermore, after a review of the record the Board finds the evidence demonstrates the subject's transaction meets the fundamental elements of an arm's-length transaction. The buyer and seller were unrelated parties; neither party was under duress to buy or sell; and the subject property was exposed to the open market for a reasonable amount of time. The subject's assessment reflects an estimated market value of \$257,932, which is considerably greater than its

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purchase price of \$189,900. Since fair market value has been established, Monroe County's 2011 three-year median level of assessments of 32.40% shall apply.

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.



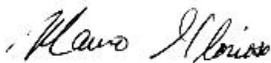
Chairman



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: December 20, 2013



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.