



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

APPELLANT: Derrick & Jennifer DeWilde
DOCKET NO.: 11-05702.001-R-1
PARCEL NO.: 07-26-217-069-000

The parties of record before the Property Tax Appeal Board are Derrick & Jennifer DeWilde, the appellants, 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: \$18,500
IMPR: \$91,640
TOTAL: \$110,140

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story single-family dwelling of frame exterior construction containing 2,518 square feet of living area. The dwelling was constructed in 2007. Features of the home include a full basement, that is partially finished, central air conditioning, two fireplaces and a two-car garage of 918 square feet of building area. The property has a .97 of an acre site and is located in Waterloo, Waterloo Township, Monroe County.

The appellants' appeal is based on overvaluation. In support of this argument, the appellants submitted information on four comparable sales located within 3-miles of the subject property. The comparables are described as one-story dwellings of masonry or frame construction that range in size from 1,703 to 2,881 square feet of living area. The dwellings were constructed from 1999 to 2003. As reported by the appellants, three of the comparable have the same neighborhood code assigned by the assessor as the subject property. Features of the comparables include a full basement, three of which include finished area. Each home has central air conditioning, a fireplace and a garage ranging in size from 580 to 1,059 square feet of building area. The comparables have sites ranging in size from .27 to 1.12-acres of land area. The comparables sold from February 2010 to October 2011 for prices ranging from \$170,275 to \$305,000 or from \$90.00

to \$110.00 per square foot of living area, including land, rounded.

Based on this evidence, the appellants requested a reduction in the subject's total assessment to \$98,410 or a market value of approximately \$295,230 or 117.25 per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total 2011 assessment of \$113,630 was disclosed. The subject's assessment reflects a market value of \$350,710 or \$139.28 per square foot of living area, including land, when applying the 2011 three year average median level of assessment for Monroe County of 32.40% determined by the Illinois Department of Revenue.

The board of review presented a letter criticizing the appellants' selected comparables as being "not in the same neighborhood code" and two of the comparables being dissimilar in dwelling size when compared to the subject dwelling.

In support of the subject's estimated market value based on its assessment, the board of review provided information on three comparable sales located within 1.25-miles of the subject property. The comparables are improved with one-story dwellings of frame or frame and masonry construction that range in size from 2,260 to 2,622 square feet of living area. The dwellings were constructed from 1999 to 2006. Features of the comparables include a full basement, two of which have finished area. Each has central air conditioning, a fireplace and a garage ranging in size from 678 to 919 square feet of building area. The comparables have sites ranging in size from .35 to .85 of an acre of land area. The comparables sold from March to December 2010 for prices ranging from \$259,000 to \$338,000 or from \$114.60 to \$137.18 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 warranted.

The appellants contend 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 appellants met this burden of proof and a reduction in the subject's assessment is warranted.

The parties presented a total of seven comparable sales to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellants' comparables #2 and #4 due to their smaller dwelling sizes when compared to the subject dwelling. The Board finds the remaining five comparables presented by both parties are most similar to the subject in location, size, style, exterior construction, features, age and/or land area. These properties also sold proximate in time to the assessment date at issue of January 1, 2011. Due to their similarities to the subject, these five comparables received the most weight in the Board's analysis. These comparables sold for prices ranging from \$229,900 to \$338,000 or from \$105.87 to \$137.18 per square foot of living area, including land. The subject's assessment reflects a market value of \$350,710 or \$139.28 per square foot of living area, including land, which is above the range established by the best comparable sales in terms of both overall value and on a per-square-foot basis. Considering differences in the comparables and the subject, while the subject is the newest dwelling of these sale properties, the Board finds that the subject property is overvalued in light of this evidence.

Based on this record, the Board finds the appellants did demonstrate by a preponderance of the evidence that the subject was overvalued and a reduction in the subject's assessment is 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.