



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

APPELLANT: Samuel M. Vance
DOCKET NO.: 12-00029.001-R-1
PARCEL NO.: 14-2-15-27-01-101-066

The parties of record before the Property Tax Appeal Board are Samuel M. Vance, the appellant, and the Madison 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 **Madison** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$28,040
IMPR: \$101,460
TOTAL: \$129,500

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story single family dwelling of stone, brick and vinyl exterior construction containing 2,680 square feet of above grade living area. The dwelling is approximately seven years old. Features of the home include a full basement that is partially finished with 1,340 square feet of living area, central air conditioning, one fireplace and a three-car attached garage with 704 square feet of building area. The property has a 7,200 square foot site and is located in Glen Carbon, Edwardsville Township, Madison County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted information on three comparable sales improved with two-story dwellings of brick and vinyl or stone, brick and vinyl exterior construction that range in size from 3,678 to 4,026 square feet of living area. The dwellings ranged in age from 9 to 12 years old. Each of the comparables has a basement that is partially finished, central air conditioning, one fireplace and an attached garage that range in size from 672 to 759 square feet of building area. The

comparables have sites ranging in size from 10,956 to 13,560 square feet of land area. The comparables sold in August and September 2011 for prices ranging from \$257,000 to \$330,000 or from \$63.84 to \$87.95 per square foot of above grade living area, including land. The appellant also indicated on the appeal that the subject property was purchased in March 2009 for a price of \$393,000. Based on this evidence, the appellant requested a reduction in the subject's total assessment to \$108,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total equalized assessment of \$129,500 was disclosed. The subject's assessment reflects a market value of approximately \$388,539 or \$144.98 per square foot of above grade living area, including land, when applying the statutory level of assessments.

In rebuttal the board of review asserted the comparables used by the appellant were improved with two-story dwellings, unlike the subject's one-story design.

In support of the assessment the board of review presented information on three comparable sales improved with one-story dwellings of brick or frame and brick exterior construction that range in size from 2,263 to 2,401 square feet of above grade living area. The dwellings were constructed from 1999 to 2004. Each comparable has a full basement that is partially finished, central air conditioning, one or two fireplaces and an attached garage ranging in size from 799 to 870 square feet of building area. The comparables sold from November 2010 to July 2012 for prices ranging from \$393,000 to \$455,000 or from \$172.84 to \$198.43 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal the appellant asserted his analysis was based on living area square footage and the subject is an Atrium Ranch design with two living levels. He agreed that board of review comparable #1 should be retained because it was nearly an identical Atrium Ranch design as the subject; he asserted board of review comparable #2 was 22% smaller than the subject and should be disregarded; and comparable #3 sold in two years in advance of when the appeal was filed and should be disregarded.

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 the evidence in the record does not support a reduction in the subject's assessment.

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 Board finds the comparable sales submitted by the board of review are most similar to the subject in style, each being improved with a one-story dwelling with finished basement area. Each comparable is also relatively similar to the subject in age, construction and features. Due to the similarities to the subject, these comparables received the most weight in the Board's analysis. The comparables sold for prices ranging from \$393,000 to \$455,000 or from \$172.84 to \$198.43 per square foot of above grade living area, including land. The subject's assessment reflects a market value of \$388,539 or \$144.98 per square foot of above grade living area, including land, which is below the range established by the best comparable sales in this record. In his rebuttal the appellant agreed that board of review comparable #1 was a good comparable. This property sold in July 2012 for a price of \$415,000 or \$172.84 per square foot of above grade living area, which demonstrates the subject property is not overvalued. The Board further finds the subject's assessment is also supported by the subject's March 2009 purchase price of \$393,000. The Board gave less weight to the appellant's comparables because they differed from the subject in style being improved with two-story dwellings. 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

Tracy 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: January 24, 2014

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.