



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

APPELLANT: David Rull
DOCKET NO.: 12-00069.001-R-1
PARCEL NO.: 19-2-08-27-16-402-041

The parties of record before the Property Tax Appeal Board are David Rull, 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: \$3,300
IMPR.: \$12,520
TOTAL: \$15,820

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story single family dwelling with brick exterior construction containing 720 square feet of living area. The dwelling was constructed in 1959. Features of the property include a slab foundation, central air conditioning and a 240 square foot car port.¹ The property has a 6,890 square foot site and is located in Wood River, Wood River Township, Madison County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted information on three comparable sales described as being improved with one-story dwellings of frame construction that ranged in size from 759 to 864 square feet of living area. The dwellings ranged in age from 68 to 97 years old. The comparables were located from .28 to 1.3 miles from the subject property. Each comparable was described by the appellant as having a full or partial basement and central air conditioning. The comparables have sites

¹ The appellant indicated the subject property had window-unit air conditioning.

ranging in size from 6,000 to 7,500 square feet of land area. The appellant provided copies of the multiple listing sheets for the comparables which indicated comparables #2 and #3 did not have central air conditioning. Furthermore, the comments on the multiple listing described comparable #2 as being, "guttled, no kitchen fixtures and some plumbing and electric is missing." The comparables sold from November 2011 to August 2012 for prices ranging from \$12,000 to \$16,500 or from \$13.89 to \$20.37 per square foot of living area, including land.

The appellant also calculated the assessments of the comparables using 1/3 of their sales price to arrive at total assessments ranging from \$4,000 to \$5,500 or from \$4.63 to \$6.79 per square foot of living area, including land, for an average of \$5.63 per square foot of living area, including land. The appellant calculated the subject's total assessment to be \$4,006 using the average total assessment of the comparables. The appellant also submitted a list of nineteen sales located in Wood River and East Alton that had sold twice to demonstrate that values of properties in these areas have decreased dramatically. Based on this evidence, the appellant requested a reduction in the subject's total assessment to \$4,210.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total equalized assessment of \$15,820 was disclosed. The subject's assessment reflects a market value of approximately \$47,465 or \$65.92 per square foot of living area, including land, when applying the statutory level of assessments.

In rebuttal the board of review asserted the appellant's comparable sales were either bank sales or not advertised. In support of this assertion the board of review submitted printouts disclosing the grantors for comparable sales #1 and #3 were Liberty Bank and Citigroup Mortgage Loan, respectively. The board of review also submitted a copy of the Illinois Real Estate Transfer Declaration (PTAX-203) indicating that appellant's comparable sale #2 located at 849 Lewis Avenue, Wood River, sold in April 2012 for a price of \$79,900, but was not advertised for sale. The April 2012 sale date was subsequent to the sale date of December 2011 used by the appellant for this property.

In support of the assessment the board of review presented information on four comparable sales that were described as being improved with one-story dwellings of frame construction that range in size from 592 to 858 square feet of living area.

The dwellings were constructed from 1915 to 1950 and each is located in Wood River. Each comparable is described as having a partial or full basement and central air conditioning. Two comparables have detached garages. The comparables have sites ranging in size from 6,000 to 14,000 square feet of land area. The comparables sold from April 2011 to June 2012 for prices ranging from \$65,000 to \$81,000 or from \$81.16 to \$112.50 per square foot of living area, including land. The record disclosed comparable #2 actually had two dwellings with a combined living area of 982 square feet resulting in a unit price of \$66.19 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 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 record contains information on seven comparables submitted by the parties. The Board finds the board of review comparables #1, #3 and #4 are to be given most weight in that these sales were relatively similar to the subject in age, size and location. These homes were also similar to the subject in features with the exception each had a basement whereas the subject had no basement. The Board further finds the appellant did not challenge the arm's length nature of the sales. These properties sold from April 2011 to March 2012 for prices ranging from \$68,500 to \$81,000 or from \$81.16 to \$112.50 per square foot of living area, including land. The subject's assessment reflects a market value of \$47,465 or \$65.92 per square foot of living area, including land, which is below the range established by the best comparable sales in this record. The

Board gave less weight to appellant's comparables #1 and #3 due to the fact they were sold by banks, which may have had a negative impact on the sales prices. The Board gave less weight to appellant's sale #2 due to the fact the multiple listing described the home as being gutted with no kitchen fixtures and some plumbing and electric missing, making this home significantly inferior to the subject property. The board of review submission further indicated this property subsequently sold in April 2012 for a price of \$79,900 or \$92.48 per square foot of living area, including land, presumably after the kitchen had been refurbished and the missing plumbing and electric replaced. This price is significantly above the market value reflected by the subject's assessment. The Board gave less weight to board of review comparable sale #2 due to the fact this property was improved with two dwellings, both dwellings were significantly older than the subject property and the lot was twice the size as the subject parcel. 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.