



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

APPELLANT: Teresa Maidak & Patrick MeKeel
DOCKET NO.: 13-01156.001-R-1
PARCEL NO.: 07-02-33-453-007

The parties of record before the Property Tax Appeal Board are Teresa Maidak and Patrick MeKeel, the appellants, by attorney David Fritts of Dixon; and the Lee 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 Lee County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$17,363
IMPR.: \$60,625
TOTAL: \$77,988

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants timely filed the appeal from a decision of the Lee County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2013 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property is improved with a contemporary style part two-story and part one-story single family of frame and stone construction with 2,761 square feet of living area. The dwelling was constructed in 1992. Features of the home include an unfinished basement, central air conditioning, one fireplace and a two-car attached garage. The property is located in Dixon, Dixon Township, Lee County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted an appraisal estimating the subject property had a market value of \$205,000 as of January 1, 2013. In estimating the market value the appraiser utilized the sales comparison approach using four comparable sales composed of two ranch style dwellings, one Cape Cod style dwelling and one two-story dwelling that ranged in size from 1,900 to 2,330 square feet of living area. The comparables ranged in age from 7 to 20 years old. Each comparable had a basement with three having finished area; each comparable had central air conditioning; two comparables each had one fireplace; and the comparables had either a two-car or a three-car garage. Comparable sale #3 also had a detached garage with 396 square feet of building area. The sales occurred from August 2011 to November 2012 for prices ranging from \$188,000 to \$229,000 or from \$81.50 to \$118.53 per square foot of living area, including land. The appraiser made adjustments to the comparables for differences from the subject to arrive at adjusted prices ranging from \$192,220 to \$220,080. Based on this data the appraiser estimated the subject had a market value of \$205,000 or \$74.28 per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$77,988. The subject's assessment reflects a market value of \$234,480 or \$84.93 per square foot of living area, land included, when using the 2013 three year average median level of assessment for Lee County of 33.26% as determined by the Illinois Department of Revenue.

In rebuttal the board of review asserted the comparable sales #1 through #3 in the appellants' appraisal were significantly smaller than the subject dwelling. It also stated that appraisal comparable sale #1 was modular construction and inferior to the subject dwelling.

In support of its contention of the correct assessment the board of review submitted information on seven comparable sales improved with two-story dwellings that ranged in size from 2,450 to 3,106 square feet of living area. The comparables were constructed from 1989 to 2004. Each comparable had a basement, central air conditioning and an attached or integral garage. Six of the comparables each had one fireplace. Comparables #1 through #6 sold from May 2013 to December 2013 for prices ranging from \$215,000 to \$300,000 or from \$76.63 to \$117.97 per

square foot of living area, including land. It was noted that comparable #6 was located in the subject's subdivision while the other comparables were located in competing neighborhoods. The board of review of review asserted that these comparables sold after the January 1 assessment date but contends they more indicative of the subject's market value because they are more comparable in size, age, quality of construction, story-type and location. Board of review sale #7 was included because it was a similar contemporary design as the subject property and was located across the street from the subject property. This comparable sold in April 2010 for a price of \$247,500 or for \$96.72 per square foot of living area, including land. The board of review also stated the subject property sold in August 2008 for a price of \$240,000.

The board of review also submitted a table comparing the number of sales that occurred in 2012 to the number of sales that occurred in 2013 in Dixon and Palmyra Townships, which are competing neighborhoods. In summary the number of sales increased with the average price increasing 7.64% but the median price decreased 5.43%.

The board of review requested confirmation of the assessment.

Conclusion of Law

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. 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Property Tax Appeal Board finds the best evidence of market value to be the comparable sales submitted by the board of review. The comparables were more similar to the subject in style and size than were the sales contained in the appellants' appraisal. Board of review comparables #1 through #6 sold from May 2013 to December 2013 for prices ranging from \$215,000 to \$300,000 or from \$76.63 to \$117.97 per square foot of living area, including land. The subject's assessment reflects a market value of \$234,480 or \$84.93 per square foot of living area, including land, which is within the range established by

these comparable sales. Importantly, board of review comparable #6 was located in the subject's subdivision and sold in May 2013 for a price of \$300,000 or \$117.97 per square foot of living area, including land, which is significantly above the market value reflected by the subject's assessment. Additionally, board of review sale #7 was located across the street from the subject property and was most similar to the subject in design. This comparable sold in April 2010 for a price of \$247,500 or \$96.72 per square foot of living area, including land, which is above the market value reflected by the subject's assessment. Although board of review comparable sale #7 is somewhat dated with reference to the assessment date at issue, the transaction is indicative that the subject's assessment is not excessive. The Board further finds that the appellants' appraisal contained four sales that sold from August 2011 to November 2012 for prices ranging from \$81.50 to \$118.53 per square foot of living area, including land. However, the appellants' appraiser arrived at an estimate of value for the subject of \$74.28 per square foot of living area, including land, which is below the range of the sales on a per square foot basis. The Board finds this value estimate is not credible given the price commanded by sales in the appraisal and the sales provided by the board of review. Based on this evidence the Board finds 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.

Chairman

Klaus Albino

Member

[Signature]

Member

Member

Jerry White

Acting 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: July 24, 2015

[Signature]

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.