



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

APPELLANT: Perry Tate (Tate Properties Trust)
DOCKET NO.: 13-01179.001-R-1
PARCEL NO.: 18-05-357-027

The parties of record before the Property Tax Appeal Board are Perry Tate (Tate Properties Trust), the appellant; and the Peoria 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 **Peoria** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$4,250
IMPR.: \$38,980
TOTAL: \$43,230

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Peoria 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 consists of a two-story dwelling of frame exterior construction with 1,994 square feet of living area.¹

¹ The appellant's grid analysis states the subject property has 1,808 square feet of living area. The appellant submitted the county's property record card which has a schematic drawing showing 1,994 square feet of living area for the subject property.

The dwelling was constructed in 1914. Features of the home include an unfinished basement, a fireplace and a one-car detached garage. The property has a 5,856 square foot site and is located in Peoria, City of Peoria Township, Peoria County.

The appellant's appeal is based on overvaluation and assessment equity. In support of the overvaluation argument the appellant submitted three comparable sales and evidence disclosing the subject property was purchased on August 1, 2013 for a price of \$89,000. The appellant submitted a copy of the Settlement Statement and the PTAX-203 Illinois Real Estate Transfer Declaration. The appellant also contends assessment inequity as the basis of the appeal. In support of this argument the appellant submitted information on three equity comparables.

Based on this evidence, the appellant requested a reduction in the subject's assessment to \$29,666.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$43,230. The subject's assessment reflects a market value of \$130,407 or \$65.40 per square foot of living area, land included, when using the 2013 three year average median level of assessment for Peoria County of 33.15% as determined by the Illinois Department of Revenue. The subject property has an improvement assessment of \$38,980 or \$19.55 per square foot of living area.

In support of these arguments and its contention of the correct assessment, the board of review submitted information on three comparables.

Conclusion of Law

The appellant contends in part that 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 appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the parties submitted six comparable sales for the Board's consideration. The Board gave less weight to the

appellant's comparables #2 and #3 based on these sales occurred in June 1999 and June 2011, respectively, which is less indicative of fair market value as of the subject's January 1, 2013 assessment date.. The Board finds the best evidence of market value in the record to be the three comparable sales submitted by the board of review and comparable #1 submitted by the appellant. These comparables were similar to the subject in style, features, age and land area. These properties also sold proximate in time to the assessment date at issue. The comparables sold for prices ranging from \$79,000 to \$132,000 or from \$55.83 to \$71.43 per square foot of living area, including land. The subject's assessment reflects a market value of \$130,407 or \$65.40 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. The Board gave little weight to the subject's sale due to the fact the sale did not have the elements of an arm's length transaction as it was not advertised or exposed on the open market. Based on this record the Board finds the subject's assessment is reflective of market value and a reduction in the subject's assessment is not justified.

The taxpayer also contended assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). 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 parties submitted six equity comparables for the Board's consideration. The Board gave less weight to board of review comparable #1. This comparable is not located in the same neighborhood as the subject property. The Board finds the best evidence of assessment equity to be appellant's comparables and board of review comparables #2 and #3. These comparables were similar to the subject in location, style, features and age. These comparables had improvement assessments that ranged from \$13.81 to \$23.41 per square foot of living area. The subject's improvement assessment of \$19.55 per square foot of living area falls within the range established by the best comparables in this record. Based on this record the Board

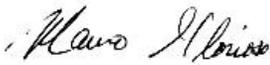
finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is not justified.

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.

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: April 24, 2015



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.