



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

APPELLANT: Sylvia Nichols
DOCKET NO.: 13-00126.001-R-1
PARCEL NO.: 12-07-305-003

The parties of record before the Property Tax Appeal Board are Sylvia Nichols, the appellant; and the Winnebago 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 **Winnebago** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$3,237
IMPR.: \$10,763
TOTAL: \$14,000

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Winnebago 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 one-story dwelling of brick exterior construction with 984 square feet of living area. The dwelling was constructed in 1940. Features of the home include

a slab foundation and a detached 528 square foot garage. The property has approximately 6,500 square feet of land area and is located in Rockford, Rockford Township, Winnebago County.

The appellant appeared before the Property Tax Appeal Board contending overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on three suggested comparable sales. The sales occurred from February to May of 2013 for prices ranging from \$11,000 to \$28,000 or from \$12.22 to \$20.07 per square foot of living area, including land.

The appellant argued that the subject property requires flood insurance and that would lower the value of the property to a prospective buyer. The subject is also located one door down from North 2nd Street, which is a busy area and the homes located on that street have lower assessments. In addition, the appellant disclosed that the subject is a rental home and is not as well kept as an owner occupied home. Lastly, the appellant argued that the subject lacks a basement, which most homes that have sold in the area have as a feature.

Based on this evidence, the appellant requested a reduction in the subject's assessed valuation.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$14,000. The subject's assessment reflects a market value of \$42,232 or \$42.92 per square foot of living area, land included, when using the 2013 three year average median level of assessment for Winnebago County of 33.15% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on three suggested comparable sales. The sales occurred from July 2011 to March 2013 for prices ranging from \$60,500 to \$89,000 or from \$78.78 to \$101.25 per square foot of living area, including land.

The board of review's representative argued that none of the parties' comparables were in a flood zone, like the subject and the appellant submitted two dissimilar one-and one-half story homes, one of which also had a basement, similar to the board of review comparables.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

Under rebuttal, the appellant argued that the subject was purchased in March 2005 for \$53,000 and housing prices have declined significantly since that time.

Conclusion of Law

For this appeal, 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 sales in this record support the subject's assessment.

The parties submitted a total of six sales for the Board's consideration. The Board finds the sales were somewhat similar to the subject in style, size, age and features. The appellant submitted two dissimilar one and one-half story comparables, one of which had a full basement and central air conditioning, which the subject lacks. The board of review submitted three comparables with full basements, one of which had central air conditioning, which the subject lacks. The Board gave less weight to the board of review's comparable #3 due to its sale date occurring greater than 17 months prior to the January 1, 2013 assessment date at issue. The remaining five comparables received the most weight in the Board's analysis. The comparables had sale dates occurring from February 2012 to May 2013 for prices ranging from \$11,000 to \$89,000 or from \$12.22 to \$101.25 per square foot of living area, including land. The subject's assessment reflects a market value of \$42,232 or \$42.92 per square foot of living area, including land, which is within the range of the best comparables both in terms of overall value and on a square foot basis. After considering adjustments to the comparables for differences when compared to the subject, the Property Tax Appeal Board finds the subject's estimated market value as reflected by its assessment is justified. Therefore, the Board finds the appellant did not demonstrate by a preponderance of the evidence that the subject was overvalued and no reduction in the subject's assessment is justified.

The Board gave less weight to the appellant's argument regarding the subject's lack of value due to its location within a flood

zone. The appellant failed to present any market evidence to support the negative impact on value that a property would be subject to due to its location in a flood zone. Likewise, the appellant failed to disclose any market evidence that a rental home would be of less value than an owner occupied dwelling. Neither party disclosed if any of their comparables were rentals or owner occupied dwellings.

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.