



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

APPELLANT: Mark Conway  
DOCKET NO.: 13-01268.001-F-1  
PARCEL NO.: 06-02-34-304-001

The parties of record before the Property Tax Appeal Board are Mark Conway, the appellant, and the Bond County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the Bond County Board of Review is warranted. The correct assessed valuation of the property is:

<b>F/Land:</b>	\$13
<b>Homesite:</b>	\$3,333
<b>Residence:</b>	\$23,167
<b>Outbuildings:</b>	\$200
<b>TOTAL:</b>	\$26,713

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Bond County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) contesting 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 one-story with loft dwelling with 1,008 square feet of living area. The dwelling is of log and vinyl siding exterior construction. Features of the dwelling include a crawl space foundation, central air conditioning and one fireplace. The property also has two

outbuildings. The property has a five acre site and is located in LaGrange Township, Bond County.

The appellant contends overvaluation with respect to the subject dwelling and homesite as the basis of the appeal. The appellant did not contest the assessment of the farmland and farm buildings. In a written narrative the appellant explained the building had been constructed over a period of five years. The appellant asserted that the road leading to the subject is impassable in some weather conditions. He stated the property lacks potable water and an adequate entrance making it uninhabitable. The appellant submitted a copy of an estimate from Scott Schmidt Excavating Co. dated January 14, 2014, indicating a cost to install a waterline to the cabin of \$9,280 and a cost to improve the roadway of \$43,200 for a total cost of \$52,480.

In further support of the overvaluation argument the appellant submitted an appraisal estimating the property had a market value of \$56,000 as of January 14, 2014. The appraisal was prepared by Lester R. Harnetiaux a certified residential real estate appraiser. In describing the property the appraiser stated the subject has LP gas, cistern water which is not potable and a private septic system. He also noted that the electric line is in fair condition but the owner is responsible for repairs. The appraiser was also of the opinion that due to the poor water supply and roadway the property would be difficult to sell.

The appraiser estimated the subject property had a land value of \$10,000. Harnetiaux also indicated the subject dwelling had a cost of \$92,552. The appraiser then deducted 50% or \$46,276 for depreciation for functional problems associated with the water supply and roadway to arrive at a depreciated value of the cabin of \$46,276. Adding the land value resulted in an estimated market value of \$56,276 under the cost approach.

The appraiser also stated in the report that he could find no comparable sales of similar property with limited access, no potable water and cabin type construction. Harnetiaux also stated in the report with respect to the income approach that due to no potable water limited water supply the property cannot be rented. In conclusion, the appraiser stated, "Using my 35 years of experience and the income approach it is my opinion Fair Market Value is \$56,000 on January 15, 2014."

Based on this evidence the appellant requested the subject's total assessment be reduced to \$18,971.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$28,148. The subject dwelling and homesite had an assessment of \$27,935, which reflects a market value of \$86,326 when using the 2013 three year average median level of assessments for Bond County of 32.26% as determined by the Illinois Department of Revenue.

In the written narrative submitted by the board of review the dwelling was described as having a log finish on the front exterior wall and vinyl siding on the three remaining exterior walls. The interior was described as an open concept with a great room and kitchen. The stone fireplace goes from floor to ceiling with a wooden staircase going to the finished loft. The board of review stated the subject dwelling has a separate side entrance into a mudroom/laundry area. The dwelling has central heat, air conditioning and a code approved septic system. It also stated the house is fully plumbed and operational. The subject property has a cistern that is available for showers, laundry and toilet.

The board of review asserted that it visited the subject property in December and had no difficulty traveling the roads by car. It also asserted the appellant contends the subject's remote location would affect the marketability, however, the board of review submitted information on an improved tract with two parcels containing 15.25 acres that sold in July 2013 for \$235,000 or \$15,410 per acre including the improvements. An aerial photograph depicts this tract as being located near the subject property and located along the same road as the subject property.

After visiting the site the board of review did not agree with the 50% reduction made by the appellant's appraiser due to lack of public road and water supply. It asserted the cabin/dwelling is a functioning structure with an adequate power supply.

In support of its contention of the correct assessment the board of review submitted a copy of the subject's property record card containing a cost approach to value. The board of review also stated there was no current comparable sales of cabin dwellings in Bond County but did provide one sale and one listing of comparables located outside of Bond County. The comparable sale was located in Johnson County and was composed of a 1 acre site

improved with a cabin that sold in for a price of \$74,900. The comparable listing was located in Pike County and was composed of a 1 acre site improved with a cabin and had an asking price of \$79,500.

### Conclusion of Law

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. 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 evidence in the record supports a reduction in the subject's assessment.

The Board finds the best evidence of market value to be the sales data provided by the board of review. The board of review submission included a sale of an improved tract located near the subject composed of two parcels with 15.25 acres that sold in July 2013 for a price of \$235,000 or \$15,410 per acre, including improvements. The record also contained a sale of a 1-acre tract with a cabin located in Johnson County for a price of \$74,900. The board of review also provided a comparable listing located in Pike County composed of a 1 acre site improved with a cabin with an asking price of \$79,500. The subject dwelling and homesite have an assessment of \$27,935 reflecting a market value of \$86,326 which is above the sale and listing presented by the board of review. The subject's assessment also appears excessive based on the price per acre of the comparable located near the subject property. The Board gave less weight to the appellant's appraisal due to the fact the report contained little objective evidence to support the significant deduction for depreciation in the cost approach. Furthermore, the appraiser stated his opinion was based in part on the income approach but no income approach was developed. This statement within the appraisal detracts from the credibility of the report. In conclusion, based on this evidence the Board finds a reduction in the subject's assessment is appropriate.

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.

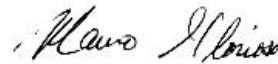
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Chairman



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Member



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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: August 21, 2015



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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.