



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

APPELLANT: Laverne McCurdy, Trustee  
DOCKET NO.: 14-00167.001-I-1  
PARCEL NO.: 04-17-426-002

The parties of record before the Property Tax Appeal Board are Laverne McCurdy, Trustee, the appellant, by attorney James E. Tuneberg, of Guyer & Enichen in Rockford, and the Winnebago County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **A Reduction** 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:** \$27,497  
**IMPR.:** \$605,836  
**TOTAL:** \$633,333

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 2014 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 manufacturing facility of steel construction with 129,810 square feet of building area that was constructed in 1969 with a weighted age of 1984.<sup>1</sup> The building has approximately 2,600 square feet of office space and approximately 127,210 square feet of manufacturing space. The building has a "wall height" of 18 feet. The property has a 275,299 square foot site resulting in a land-to-building ratio of 2.12:1 and is located in South Beloit, Roscoe Township, Winnebago County.

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<sup>1</sup> The board of review failed to provide a copy of the subject's property record card with its Notes on Appeal as required by procedural rules before the Property Tax Appeal Board. (86 Ill.Admin.Code §1910.40(a)) The data submitted by the board of review contended that the total building size was 133,235 square feet with the main building containing 88,358 and four separate buildings totaling 44,850. Mathematically, these two figures would total 133,208 square feet of building area. Given the error in the report, the Board has accepted the presentation by the appellant as the board of review failed to provide accurate descriptive data and/or the property record card.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted a brief along with limited information on seven comparable sales. In the brief, counsel for the appellant reported the subject property was inspected on April 2, 2014 by Peter Wolfley and the descriptive data for the subject and comparables were obtained from the public record.

As to the subject, the brief reported that the structure was built in at least four stages over the past 40 years. Most of the shop area is used for industrial/manufacturing purposes and is divided into over seven spaces, "a layout that is unusual and not typical of buildings constructed over the past 30 years." The brief set forth an opinion that the subject's highly divided layout limits its market appeal and functional utility. Given the subject's age, size and layout, the brief asserted that there were no similar comparable sales in Winnebago County and furthermore Roscoe Township has few industrial properties, none of which are similar to the subject.

In the grid, the comparable sale parcels range in size from 131,351 to 799,620 square feet of land area and are improved with one-story buildings constructed between 1968 and 1994. The buildings range in size from 38,492 to 126,095 square feet of building area and have "wall heights" ranging from 16 feet to 21 feet. Six of the comparables are used for manufacturing and one is a warehouse. The properties sold between March 2012 and August 2013 for prices ranging from \$275,000 to \$2,070,000 or from \$5.41 to \$20.94 per square foot of building area.

For the comparable sales analysis, the appellant utilized a unit of comparison of "the implied price of the building improvements" as calculated by subtracting the assessor's land value for the year of the sale from the sale price and dividing by the property's building square footage. The appellant contended this was done to largely reduce the effect of differing land to value ratios on price which could distort the overall price per square foot price relative to the subject property. The brief noted that the subject has a 2.12:1 land-to-building ratio whereas the comparables range from 1.03:1 to 5.19:1. Using this unit of comparison, the appellant reported the "net building price" per square foot ranged from \$3.57 to \$17.80.

Based on the foregoing evidence and argument, the appellant requested a total assessment of \$633,333 which would reflect a market value of approximately \$1,900,000 or \$14.64 per square foot of building area, including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$666,667. The subject's assessment reflects a market value of \$2,000,201 or \$15.41 per square foot of building area, land included, when using the 2014 three year average median level of assessment for Winnebago County of 33.33% as determined by the Illinois Department of Revenue.

In response to the appeal, the board of review cited to the "township assessor's evidence" which consisted of an e-mail statement by the assessor to the board of review. As to this appeal, the assessor stated in pertinent part:

The [Winnebago County Board of Review] lowered this property to 15.00 per square foot for 2014!!! And Mr. Tunebeg still filed a PTAB.

Additionally, the assessor's e-mail indicated that there was a pending 2013 assessment appeal before the Property Tax Appeal Board. The Board takes judicial notice that Docket No. 13-03097.001-C-1 was resolved by a decision that was issued in July 2015 determining a total assessment of \$670,000 in accordance with the stipulation of the parties. For this 2014 appeal, there was no submission of comparable sales to support the subject's assessment.

Based on the foregoing argument, the board of review requested confirmation of the subject's assessment.

### **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 appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant submitted limited data on seven comparable sales to support a reduction in the subject's assessment. The Board finds that little weight can be given to sales #1, #3 and #5 due to the much smaller building sizes of these comparables.

The Board finds the best evidence of market value to be appellant's comparable sales #2, #4, #6 and #7 despite that three of these four sales occurred in 2012, a date remote in time to the valuation date at issue. These comparable parcels range in size from 199,560 to 605,920 square feet of land area and are improved with one-story buildings that range in size from 108,000 to 126,095 square feet of building area. The parcels sold between March 2012 and June 2013 for prices ranging from \$725,000 to \$2,070,000 or from \$5.75 to \$11.13 per square foot of building area, including land. The subject's assessment reflects a market value of \$2,000,201 or \$15.41 per square foot of building area, including land, which is above the range established by the best comparable sales in this record on a per-square-foot basis. Based on this very limited evidence the Board finds a reduction in the subject's assessment is warranted commensurate with the appellant's request.

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



Acting Member

DISSENTING: \_\_\_\_\_

CERTIFICATION

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 19, 2016



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.