



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

APPELLANT: Sixth River Hope Trust / C.A. Shriver
DOCKET NO.: 14-00938.001-R-1
PARCEL NO.: 19-2-08-27-11-201-006

The parties of record before the Property Tax Appeal Board are Sixth River Hope Trust / C.A. Shriver, the appellant; and the Madison 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 **Madison** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$4,780
IMPR.: \$9,220
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 Madison 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 is improved with a one-story single family dwelling of frame construction with 956 square feet of living area. The dwelling was constructed in 1930. Features of the home include a full unfinished basement and central air conditioning. The property is located in Wood River, Wood River Township, Madison County.

The appellant, Cynthia Shriver, appeared before the Property Tax Appeal Board contending overvaluation and assessment inequity as the bases of the appeal. In support of this argument the appellant submitted information on four comparable properties improved with one-story dwellings with vinyl or aluminum/steel exterior construction that ranged in size from approximately 660 to 1,046 square feet of living area. The dwellings were constructed from approximately 1920 to 1935. The appellant indicated on the appeal that it was unknown whether the comparables had basements, however, she indicated the Multiple Listing Service (MLS) indicated comparable #3 had 333 square feet of finished area in the basement. The appellant

described each comparable as having central air conditioning and three comparables had carports. These properties sold from June 2012 to December 2013 for prices ranging from \$17,000 to \$30,000 or from \$18.40 to \$45.45 per square foot of living area, including land. These properties had improvement assessments that ranged from \$5,390 to \$18,190 or from \$5.15 to \$19.69 per square foot of living area.

Ms. Shriver testified that the subject property was the subject matter of an appeal before the Property Tax Appeal Board the prior tax year, identified by Docket No. 13-02967.001-R-1, in which a decision was issued reducing the subject's assessment to \$8,330 based on an agreement of the parties. Ms. Shriver also indicated the property is being occupied by "home owners in training." She requested that the 2013 assessment be carried forward to 2014 as there had been no improvements to the property.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$15,380. The subject's assessment reflects a market value of \$46,158 or \$48.28 per square foot of living area, land included, when using the 2014 three year average median level of assessment for Madison County of 33.32% as determined by the Illinois Department of Revenue. The subject has an improvement assessment of \$10,600 or \$11.09 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales improved with one-story dwellings of frame construction that ranged in size from 720 to 1,314 square feet of living area. The dwellings were constructed from 1915 to 1950. Each comparable had an unfinished basement and central air conditioning. Two comparables have garages with 286 and 216 square feet of building area, respectively. To document the descriptions the board of review provided copies of photographs and copies of the property record cards for each of the comparables. The board of review also provided copies of the PTAX-203 Illinois Real Estate Transfer Declarations for each of the comparables. The comparables sold from April 2012 to June 2014 for prices ranging from \$45,000 to \$79,900 or from \$40.68 to \$110.97 per square foot of living area, including land. These same comparables had improvement assessments that ranged from \$13,310 to \$17,100 or from \$13.01 to \$18.48 per square foot of living area.

The board of review representative indicated that 2013 and 2014 are within the same general assessment period.

Under cross-examination the board of review was questioned about its comparable sale #2 in that the PTAX-203 Illinois Real Estate Transfer Declaration indicated this property was not advertised for sale.

In rebuttal the appellant indicated that the MLS disclosed board of review comparable #1 has a large eat-in kitchen while the subject does not, the property has a fenced in yard while the subject does not and the property has laundry on the main floor while the subject property has laundry hookup in the basement. With respect to board of review comparable #2, Ms. Shriver indicated she called the home owner and was told the property had been gutted with new flooring, kitchen and bath put in. Ms. Shriver did not know when the renovations were made. With respect to comparable #3 the appellant noted this property has a detached garage while the subject does not.

She also indicated the MLS listing indicated this home had vinyl windows, newer HVAC, finished area of 160 square feet in the basement, fenced yard and updated kitchen and bath. The witness further asserted that comparable sale #4 was not sold through the MLS.

Conclusion of Law

The appellant contends in part 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 sales in the record support a reduction in the subject's assessment.

The record contains eight comparable sales submitted by the parties to support their respective positions. The Board gave less weight to appellant's comparable sales #2 and #4 as well as board of review sales #2 and #4 as these properties sold in 2012, not proximate in time to the assessment date at issue. Additionally, the record disclosed that board of review sale #2 had not been advertised for sale and the appellant testified this property had undergone remodeling/rehabilitation at some point, which further detracts from the weight that can be given this sale. The four remaining comparables sold from January 2013 to June 2014 for prices ranging from \$17,000 to \$72,050 or from \$18.40 to \$76.97 per square foot of living area, including land. The subject's assessment reflects a market value of \$46,158 or \$48.28 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. The two comparables at the high end of the range were provided by the board of review, however, the appellant provided testimony that these two comparables had upgrades and features not enjoyed by the subject property. Based on this evidence the Board finds a reduction in the subject's assessment is justified based on overvaluation.

The Board gives no weight to the appellant's argument that the subject's assessment should be reduced to reflect the prior year's assessment as determined by the Property Tax Appeal Board.

Section 16-185 of the Property Tax Code (35 ILCS 200/16-185) provides in part:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review.

35 ILCS 200/16-185. The Board finds that the subject property is not an owner occupied dwelling, therefore, this provision of section 16-185 of the Property Tax Code is not applicable.

Finally, the Board finds that based on the reduction based on overvaluation a further reduction founded on assessment inequity 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



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.