



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

APPELLANT: JD Property Management, LLC  
DOCKET NO.: 14-01396.001-R-1  
PARCEL NO.: 16-06-202-009

The parties of record before the Property Tax Appeal Board are JD Property Management, LLC, 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 **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:** \$4,295  
**IMPR.:** \$15,544  
**TOTAL:** \$19,839

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 is improved with a one-story dwelling of frame construction with 1,092 square feet of living area. The dwelling was constructed in 1964 and is approximately 50 years old. Features of the home include a full basement that is partially finished, central air conditioning and an attached one-car garage with 300 square feet of building area. The property is located in Rockford, Cherry Valley Township, Winnebago County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on ten comparable sales improved with one-story dwellings that ranged in size from 936 to 1,188 square feet of living area. The dwellings were constructed from 1961 to 1977. Each comparable has a basement with three being partially finished, eight comparables have central air conditioning and each comparable has either a one-car or a two-car garage. The sales occurred from June 2013 to June 2014 for prices ranging from \$37,000 to

\$62,500 or from \$33.64 to \$62.56 per square of living area, including land. The appellant identified sales #1, #3 and #4 as being REO (real estate owned). Based on this evidence the appellant requested the subject's assessment be reduced to \$17,667 to reflect a market value of \$53,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$19,839. The subject's assessment reflects a market value of \$59,523 or \$54.51 per square foot of living area, land included, when using the 2013 three year average median level of assessment for Winnebago County of 33.33% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales identified by the township assessor that were improved with one-story dwellings that ranged in size from 912 to 1,064 square feet of living area. The dwellings were constructed from 1966 to 1978. Each comparable had a basement that was partially finished, central air conditioning and a one-car attached or detached garage that ranged in size from 288 to 312 square feet of building area. These properties sold from June 2013 to August 2014 for prices ranging from \$64,000 to \$76,000 or from \$60.61 to \$77.85 per square foot of living area, including land.

In rebuttal the assessor noted that appellant's sale #1 was an REO sale that occurred in June 2014. The assessor submitted a copy of the Multiple Listing Service (MLS) listing for the subsequent sale of this property in December 2014 for a price of \$58,000 or \$52.73 per square foot of living area.

The board of review requested the assessment be confirmed.

In rebuttal the appellant asserted that board of review sales #1 through #3 are located  $\frac{3}{4}$  to 1 mile south of the subject in a different and superior neighborhood. The appellant also submitted copies of the MLS listing sheets for the board of review comparable to demonstrate they were superior to the subject property.

### **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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains 14 comparable sales submitted by the parties to support their respective positions. The Board finds the best evidence of market value to be appellant's comparable sales #7 and #9 as well as the comparables submitted by the board of review. These comparables were similar to the subject in features, including a partial finished basement. The most similar comparables sold from June 2013 to August 2014 for prices ranging from \$55,000 to \$76,000 or from \$46.30 to \$77.85 per square foot of living area, including land. The subject's assessment

reflects a market value of \$59,523 or \$54.51 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Less weight was given the remaining sales provided by the appellant as comparable sale #4 had only two bedrooms while the subject property has three bedrooms; comparables #3 and #5 have no central air conditioning while the subject has central air conditioning; and comparables #1, #2, #3, #5, #6, #8 and #10 had unfinished basements while the subject has a partially finished basement. Based on this evidence the Board finds 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



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: September 23, 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.