



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

APPELLANT: JD Property Mgmt, LLC
DOCKET NO.: 14-02514.001-R-1
PARCEL NO.: 16-06-429-004

The parties of record before the Property Tax Appeal Board are JD Property Mgmt, 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:	\$4,296
IMPR.:	\$19,604
TOTAL:	\$23,900

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 split-level frame dwelling that has 1,508 square feet of living area. The dwelling was built in 1980. Features include a basement, two bathrooms and a 480 square foot garage. The subject has a 9,600 square foot site. The subject property is located in Cherry Valley Township, Winnebago County, Illinois.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted information pertaining to the sale of the subject property. The appellant's appeal petition indicated the subject property was purchased in January 2012 for \$56,000 after being listed for sale on the open market through the Multiple Listing Service (MLS) for 101 days. The evidence depicts the subject property was listed for sale with a Realtor and the parties to the

transaction were not related. The appellant submitted a copy of the Settlement Statement and the MLS sheet associated with the sale of the subject property. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$23,900. The subject's assessment reflects a market value of \$71,707 or \$47.55 per square foot of living 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 support of the subject's assessment, the board of review submitted a memorandum addressing the appeal and two comparable sales. The evidence was prepared by the township assessor. The assessor contends the subject's sale occurred in January 2012 and since the sale occurred, there have been improvements to the subject property including new siding, new windows, new front door and possibly a new roof as depicted in photographs prior to and after the sale transaction. The assessor contends that these updates have increased the market value of the property from its 2012 purchase price. Moreover, it was unknown if any improvements have been made to the interior of the subject dwelling.

The comparable properties consist of split-level frame dwellings that were each built in 1983. The homes each contain 1,580 square feet of living area and feature partial basements and garages. One comparable has central air conditioning and one comparable has a fireplace. The properties sold in December 2012 and July 2014 for prices of \$65,900 and \$85,000 or for \$41.71 and \$53.80 per square foot of living area, including land.

Based on the foregoing evidence and 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the best evidence of market value in the record to be the two comparable sales submitted by the board of review. These comparables were similar to the subject in style, construction, size, features and age. These properties also sold on dates bracketing the assessment date at issue of January 1, 2014. The comparables sold for prices of \$41.71 and \$53.80 per square foot of living area, including land. The subject's assessment reflects a market value of \$71,707 or \$47.55 per square foot of living area, including land, which is between the best comparable sales in this record. The Board gave little weight to the subject's sale due to the fact the sale occurred less proximate in time to the assessment date at issue and the assertion that updates/improvements had been made to the property since the date of purchase in January 2012.

Docket No: 14-02514.001-R-1

Based on this record the Board finds the subject's assessment is reflective of market value and a reduction in the subject's assessment is not justified on this record.

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: December 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.