



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

APPELLANT: Alex & Erynn Snedeker
DOCKET NO.: 14-02913.001-R-1
PARCEL NO.: 11-003-006-00

The parties of record before the Property Tax Appeal Board are Alex & Erynn Snedeker, the appellants, by Jerri K. Bush¹, Attorney at Law, in Chicago; and the Cass 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 Cass County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$ 6,160
IMPR.: \$70,470
TOTAL: \$76,630

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants timely filed the appeal from a decision of the Cass 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 two-story "colonial" style dwelling of frame construction that has 3,533 square feet of living area.² The dwelling was built in 1903, but has an effective of 25 years or 1989 due to being completely remodeled after its purchase in 2009. The home features a partial unfinished basement, second story central air conditioning, two fireplaces, one open frame porch and two enclosed frame porches. The subject property is also improved with an additional detached one and one-half story structure of vinyl exterior construction that contains

¹ Appellants' counsel filed an appearance during the rebuttal phase of the appeal process.

²The board of review submitted the subject's property record card with a dwelling sketch depicting 3,464 square feet of living area. The appellant submitted an appraisal with a dwelling sketch depicting 3,533 square feet of living area. Although not included as living area, the appraiser's dwelling sketch excluded features of an open frame porch and two enclosed frame porches. Based on the photographic evidence contained in the record, the Board finds the dwelling sketch prepared by the appellant's appraiser better reflects the subject's dwelling size, excluding the porches, or 3,533 square feet of living area.

3,528 square feet of ground floor area that was built in 2013.³ The structure has 2,352 square feet of building area used for a five car garage that has an unfinished attic with dormers. The structure also has 1,646 square feet of living quarters inclusive of the second level finished area. Features of the living quarters include central air conditioning, a bathroom, an open frame porch and a wood deck. The subject property has a one-acre site. The subject property is Virginia Township, Cass County, Illinois.

The appellants submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellants submitted an appraisal of the subject property. The appraisal was prepared by Gary W. Hamm, a state licensed appraiser. The appraiser developed the sales comparison and cost approaches to value in arriving at an opinion of value of \$150,000 as of January 1, 2014. Page 5 of the report indicates the dwelling has been well maintained and recently updated with an effective age of 25 years. The garage was described as being "overbuilt" and no functional or external obsolescence was noted.

Under the cost approach, the appraiser did not provide an estimate of value for the subject's one-acre site. The appraiser concluded the replacement cost new of the dwelling was \$100.00 per square foot of living area or \$353,300. The garage was estimated to have a replacement cost new of \$30.00 per square foot or \$110,880. Thus, the total replacement cost new was estimated to be \$464,180. Physical depreciation was estimated to be \$193,424 based on the age/life method of depreciation using an effective age of 25 years and an economic life of 60 years. External obsolescence was estimated to be \$116,045. The appraiser did not provide a value for site improvements. As result, the appraiser concluded the improvements situated on the subject parcel had a depreciated replacement cost new of \$154,711, excluding land.

Under the sales comparison approach to value, the appraiser selected three suggested comparable sales located .46 or .48 of a mile from the subject. The comparables consist a ranch style and two, two-story "colonial" style dwellings of brick or frame construction that were from 42 to 124 years old. The comparables have full or partial unfinished basements, central air conditioning and garages that range in size from 1,464 to 1,800 square feet of building area. The dwellings range in size from 2,240 to 3,196 square feet of living area and are situated on sites that contain from .34 to 1.46 acres of land area. The comparables sold from October 2012 to March 2013 for prices ranging from \$136,000 to \$180,500 or from \$42.55 to \$73.49 per square foot of living area including land.

The only adjustment applied to the comparables by the appellants' appraiser was for the difference from the subject in room count, resulting in adjusted sale prices ranging from \$142,000 to \$182,500 or from \$44.43 to \$74.31 per square foot of living area including land. The appraiser opined comparable #1 was most similar to the subject and was given greatest

³ Based on the building diagram, the appellants' appraiser calculated the detached second structure as having 3,696 square feet of ground floor living area, but did not identify the unfinished attic area over the garage or identify the living quarters, porch or deck. Page 5 of the appraisal report described the structure has having "1,600 square feet of finished area currently used as a home office." The board of review submitted the subject's property record card with a building sketch depicting the detached structure has 3,528 square feet of building area. The building sketch identified the garage area, unfinished attic, finished living area including the second level, porch and deck. Based on the evidence contained in the record, the Board finds the board of review provided the best evidence of the detached structure's building size and features.

weight. Based on the adjusted sale prices, the appraiser concluded the subject property had an estimated market value of \$150,000 or \$42.96 per square foot of living area including land under the sales comparison approach to value.

Under reconciliation, the appraiser gave most weight to the sales comparison approach to value with support from the cost approach. Therefore, the appellants' appraiser concluded the subject property had a market value of \$150,000 as of January 1, 2014.

Addendum K of the report disclosed Erynn Snedeker, the homeowner, assisted in the preparation of the appraisal report by obtaining data, taking photographs and assisted in measuring the exterior of the residence. Mrs. Snedeker was in the process of becoming an Appraiser Trainee. Based on this evidence, the appellants requested a reduction in the subject's assessment to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject property of \$76,630. The subject's assessment reflects an estimated market value of \$229,637 or \$65.00 per square foot of living area including land when applying the 2014 three-year average median level of assessment for Cass County of 33.37%.

In support of the subject's assessment, the board of review submitted four comparable sales located from .45 to 3.78 miles from the subject property. The comparables consist of a one and one-half story and three, two-story dwellings of frame construction that were built from 1890 to 1984. Three comparables have unfinished basements, each comparable has central air conditioning, two comparables have two fireplaces and three comparables have garages that range in size from 540 to 840 square feet of building area.⁴ The dwellings range in size from 2,464 to 3,676 square feet of living area and are situated on sites that contain from 8,419 square feet to 4.06 acres of land area. The comparables sold from February 2009 to July 2015 for prices ranging from \$125,000 to \$196,500 or from \$50.48 to \$62.50 per square foot of living area including land.

The board of review noted the subject dwelling was completely remodeled after its 2009 sale. In 2013, the new detached improvement was built which comprised of a one-story frame dwelling with finished attic that has 1,646 square feet of living area attached to the 2,352 square foot garage with interior drywall that has full attic space with dormers. The board of review asserted from testimony given at the local hearing that the Mr. Snedeker's mother in-law resided in the detached dwelling for a short period, but the area is now used as office space. He would not divulge the cost to construct the garage/dwelling at the local board of review hearing.

With respect to the appellants' evidence, the board of review argued that the appellant, Erynn Snedeker, gather the information for the appraisal report from the assessor's office. The board of review questioned as to whether Hamm inspected the subject property. The board of review also submitted another appraisal of the subject property prepared by Hamm that was submitted by the appellants at the local board of review hearing. It conveyed an estimated a market value for the subject property of \$140,000 as of January 1, 2015. The board of review also submitted

⁴ Comparable #3 had a 1,248 square foot garage constructed after its sale.

evidence showing the appellants have taken out three mortgages for the subject property from December 2009 to January 2012 in the amounts of \$150,000, \$188,000 and \$206,487.

The board of review also noted the differences in the comparables when compared to the subject in dwelling size, age, condition, features and lack of a secondary dwelling with the large attached garage. The board of review argued the appellants' appraiser failed to make appropriate adjustments for those differences. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellants' counsel submitted a lengthy rebuttal brief. The appellants submitted documentation showing board of review comparable #1 was a dissimilar bi-level style dwelling that had been recently updated and the sale included an additional adjacent lot. Board of review comparable #2 is located 3.78 miles from the subject and had a larger addition constructed in 2008 that doubled its dwelling size. Comparable #3 sold in 2009 and should not be considered indicative of market value as of the January 1, 2014 assessment date.

Conclusion of Law

The appellants contend 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 appellants failed to meet this burden of proof and no reduction in the subject's assessment is warranted.

The appellants submitted an appraisal estimating the subject property has a market value of \$150,000 as of January 1, 2014. The Board gave little weight to the appraisal report and finds the opinion of value is not credible. With respect to the cost approach, the Board finds the appellants' appraiser failed to develop and include a land value estimate for the subject property. The appellants' appraiser did not adequately value the subject's detached garage by excluding the contributory value of the living quarters, interior drywall finish of the garage, unfinished attic space and dormers. The Board finds the depreciation deduction for external obsolescence of \$116,045 was not well explained or supported given that fact on page 5 of the appraisal the appraiser determined the subject property did not suffer from functional or external obsolescence. The Board finds the appraiser incorrectly calculated physical depreciation for the garage/living quarters at the same rate as the dwelling because the garage/living quarters was less than one year old as of the subject's January 1, 2014 assessment date, whereas the dwelling had an effective age of 25 years. The appraiser failed disclose the actual cost of the new improvements, which could be germane as to its estimated replacement cost new given its new age. Finally, the appellants' appraiser provided no objective evidence to support the opinion that the subject's detached garage/living quarters was "overbuilt," which implies the structure adds little contributory value to the overall property value.

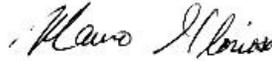
With regard to the sales comparison approach to value, the Board gave little weight to comparable #3 due to is dissimilar one-story design. The Board further finds the appraiser failed to adequately perform market adjustments to comparables #1 and #2 for their differences in land area; upward adjustments to each comparable for their older age in comparison to the subject's

effective age; upward adjustments to comparables #2 and #3 for their smaller dwelling size; or any adjustment to the comparables for their inferior garages which do not have living quarters. As stated above, the Board gave little credence to the appraiser's opinion that the subject's detached garage/living quarters was "overbuilt" or was a super-adequacy. Finally, the appellants' appraiser concluded the comparables had adjusted sale prices ranging from \$44.43 to \$74.31 per square foot of living area including land, yet concluded the subject had an estimated market value of \$42.46 per square foot of living area including land, less than the adjusted comparables on a per square foot basis. All these factors undermine the credibility of the appraiser's final opinion of value.

The board of review submitted four comparable sales for the Board's consideration. The Board gave less weight to comparables #1 and #3. Comparable #1 is a dissimilar bi-level style dwelling when compared to the subject's two-story "colonial" design. Comparable #3 sold in 2009, which is dated and not a reliable indicator of market value as of the subject's January 1, 2014 assessment date.

The Board finds comparable sales #2 and #4 submitted by the board of review and comparables #1 and #2 contained in the appellants' appraisal report are more representative of the subject's market value. These properties sold most proximate in time to the subject's January 1, 2014 assessment date and are similar in design and some features, but three comparables were smaller in dwelling size and none have a large detached one and one-half story garage with integrated living quarters like the subject. These properties sold from November 2012 to July 2015 for prices ranging from \$136,000 to \$196,500 or from \$42.55 to \$66.96 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$229,637 or \$65.00 per square foot of living area including land, which falls above the range on an overall basis, but within the range on a per square foot basis. After considering logical adjustments to the comparables for differences when compared to the subject, such as age, dwelling size and features, the Board finds the subject's estimated market value as reflected by its assessment is supported. Based on this analysis, the Board finds no reduction in the subject's assessment is warranted.

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. Pursuant to Section 1910.50(b) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(b)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.



Chairman



Member



Acting Member



Member



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 19, 2017



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 or years of the same general assessment period, as provided in Sections 9-125 through 9-225, 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 such subsequent year or years 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 OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

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.

PARTIES OF RECORD

AGENCY

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Alex & Erynn Snedeker, by attorney:
Jerri K. Bush
Attorney at Law
Unit 2E
6903 North Bell Avenue
Chicago, IL 60645

COUNTY

Cass County Board of Review
Cass County Courthouse
Virginia, IL 62691