



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

APPELLANT: Jeffrey & Robin Winters
DOCKET NO.: 15-00221.001-R-1
PARCEL NO.: 03-31-277-015

The parties of record before the Property Tax Appeal Board are Jeffrey & Robin Winters, the appellants, by attorney James A. Rodriguez, of Guyer & Enichen, in Rockford, and the Boone 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 **Boone** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$8,333
IMPR.: \$63,333
TOTAL: \$71,666

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants timely filed the appeal from a decision of the Boone County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2015 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 dwelling of frame construction with 2,152 square feet of living area. The dwelling was constructed in 2009. Features of the home include a full basement, central air conditioning, a fireplace and a 640 square foot garage. The property has a .2822-acre site and is located in Loves Park, Caledonia Township, Boone County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted limited information on six comparable sales "in the subject's area." The comparables consist of two-story dwellings that were built between 2004 and 2008. The homes range in size from 2,300 to 4,413 square feet of living area. Comparables #1, #4 and #6 have "lower level finished space"; comparables #2 and #3 have basements; and comparables #4, #5 and #6 are noted as partial exposure or full exposure, respectively. Appellants' comparable #1 also has an in-ground pool. Each comparable has either a 2.5 or 3-car attached garage. No other

descriptive characteristics of the comparables were provided in the appellants' spreadsheet. The comparables sold between February 2014 and February 2015 for prices ranging from \$184,900 to \$288,000 or from \$65.26 to \$113.53 per square foot of living area, including land.

Based on the foregoing evidence, the appellants requested a total assessment of \$62,885 which would reflect a market value of approximately \$188,655 or \$87.66 per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$71,666. The subject's assessment reflects a market value of \$215,020 or \$99.92 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.

As to the appellants' comparables, the board of review contends the properties are located in the "earlier plats" of the subject's subdivision as compared to the subject and the comparables are each larger than the subject in dwelling size.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales in the subject's subdivision that were closer in size to the subject dwelling. The comparables consist of two-story frame dwellings that were built between 2004 and 2009. The homes range in size from 2,064 to 2,487 square feet of living area with basements, central air conditioning and a garage of either 440 or 744 square feet of building area. Two of the comparables each have a fireplace. The comparables sold between December 2013 and December 2015 for prices ranging from \$182,500 to \$252,000 or from \$88.42 to \$101.33 per square foot of living area, including land.

Based on this evidence and argument including consideration of appellant's comparable #2 as being most similar to the subject, the board of review requested confirmation of the subject's assessment.

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

The parties submitted a total of nine comparable sales to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellants' comparables #3 through #6 as each of these homes are significantly larger than the subject dwelling.

The Board finds the best evidence of market value to be appellants' comparable sales #1 and #2 along with the board of review comparable sales #1 through #3. These most similar comparables range in dwelling size from 2,300 to 2,528 square feet of living area and sold between December 2013 and December 2015 for prices ranging from \$184,900 to \$287,000 or from \$80.39 to

\$113.53 per square foot of living area, including land. The subject's assessment reflects a market value of \$215,020 or \$99.92 per square foot of living area, including land, which is within the range established by the best comparable sales in this record and appears well justified when giving due consideration to the subject's newer age and smaller living area square footage. Accepted real estate valuation theory provides that all factors being equal, as the size of the property increases, the per unit value decreases. In contrast, as the size of a property decreases, the per unit value increases. Moreover, but for board of review comparable #1, the subject dwelling is newer than the best comparable properties in the record. 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: 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.