



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

APPELLANT: Anthony L. & Lorri J. Linthicum  
DOCKET NO.: 15-00595.001-R-1  
PARCEL NO.: 09-18-403-033

The parties of record before the Property Tax Appeal Board are Anthony L. & Lorri J. Linthicum, the appellants; and the Woodford 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 **Woodford** County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$ 27,342  
**IMPR.:** \$111,302  
**TOTAL:** \$138,644

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellants timely filed the appeal from a decision of the Woodford 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 one and one-half story frame dwelling that contains 2,640 square feet of living area. The dwelling was built in 2013. Features include a full unfinished basement, central air conditioning, a fireplace and a 902 square foot attached garage. The subject has a .28 acre site. The subject property is located in Metamora Township, Woodford 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 estimating a market value of \$443,000 as of November 24, 2014. The appraisal was prepared for purposes of a purchase transaction. The appraiser developed the sales comparison and cost approaches to value in arriving at the final opinion of value.

In further support of the overvaluation claim, the appellants submitted two improved sales and a vacant land listing from the subject's development of Metamora Fields. The two improved comparables sold in February 2016 and August 2015 for prices of \$305,000 and \$380,000 or \$160.10 and \$157.55 per square foot of living area including land, respectively. The appellants claimed the listing prices for these properties were reduced significantly prior to their sale. The vacant land listing, which was a .25 of an acre site, was listed for sale at \$48,000.

The appellants also submitted the property tax amounts for six properties located throughout Metamora. The tax amounts were based on 2014 tax year assessments, payable 2015. The property taxes ranged from \$4,896.48 to \$8,901.52. The appellants claimed the subject property's real estate tax bill was approximately \$14,000 for the 2015 tax year, payable 2016.

In a narrative letter accompanying the appeal, the appellants explained they were the first residents of Metamora Fields to pay a property tax bill and felt it was necessary to establish precedence with regards to property tax in the development. The appellants further claimed the subject property's value has been negatively impacted by significant economic developments since the appraisal was completed because Caterpillar and Mitsubishi have made large cuts in employment. Based on this evidence, the appellants requested a reduction in the subject's assessment to \$100,750, which reflects an estimated market value of \$302,280.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject property's final assessment of \$138,644 was disclosed. The subject's assessment reflects an estimated market value of \$415,974 or \$157.57 per square foot of living area including land when applying the statutory level of assessment of 33.33%.

In response to the appeal, the board of review submitted two comparable sales located in the subject's neighborhood. These comparable sales were also submitted by the appellants. Again, these two improved comparables sold in February 2016 and August 2015 for prices of \$305,000 and \$380,000 or \$160.10 and \$157.55 per square foot of living area including land, respectively. The board of review also submitted the subject's property record card which shows the appellants purchased the subject property in December 2014 for \$435,000 or \$164.77 per square foot of living area including land. Based on this evidence, 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 failed to overcome this burden of proof.

First, the Board gave no weight to the appellants' tax bill analysis. This evidence does not show the subject's assessment is incorrect. The Property Tax Appeal Board plays no part in the calculation of tax bills of the subject property or the suggested comparables used by the

appellants in this appeal. Section 1910.10(f) of the official rules of the Property Tax Appeal Board states:

The Property Tax Appeal Board is without jurisdiction to determine the tax rate, the amount of the tax bill, or the exemption of real property from taxation. (86 Ill.Admin.Code §1910.10(f)).

The Property Tax Appeal Board finds the best evidence of market value contained in this record is the sale of the subject property for \$435,000 on December 5, 2014, less than one month prior to the subject's January 1, 2015 assessment date. The Illinois Supreme Court has defined fair cash value as what the property would bring at a voluntary sale where the owner is ready, willing, and able to sell but not compelled to do so, and the buyer is ready, willing and able to buy but not forced to do so. Springfield Marine Bank v. Property Tax Appeal Board, 44 Ill.2d. 428, (1970). A contemporaneous sale of two parties dealing at arm's-length is not only relevant to the question of fair cash value but is **practically conclusive on the issue of whether an assessment is reflective of market value**. Korzen v. Belt Railway Co. of Chicago, 37 Ill.2d 158 (1967). The Board finds this record is void of any evidence that would demonstrate the subject's sale was not an arm's-length transaction. The subject's assessment reflects an estimated market value of \$415,974, which is less than its recent sale price. Therefore, no reduction in the subject's assessment is warranted.

The appellants submitted an appraisal of the subject property estimating a market value of \$443,000 as of November 20, 2014 for purposes of a purchase transaction. The subject's assessment reflects an estimated market value of \$415,974, which is less than the appraisal submitted by the appellants. Thus, this evidence does not demonstrate the subject's assessed value is excessive.

The appellants and board of review submitted the same two comparable sales for the Board's consideration. These comparables sold in February 2016 and August 2015 for prices of \$305,000 and \$380,000 or \$160.10 and \$157.55 per square foot of living area including land, respectively. The Board finds this evidence does not overcome the subject's December 2014 sale price of \$435,000.

Based on this analysis, the Board finds the appellants failed to demonstrate the subject property was overvalued by a preponderance of the evidence contained in the record. Therefore, 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.



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: January 27, 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 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.