



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

APPELLANT: Kourtney Rivera
DOCKET NO.: 16-00244.001-R-1
PARCEL NO.: 05-25-226-027

The parties of record before the Property Tax Appeal Board are Kourtney Rivera, the appellant, and the Boone County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **A Reduction** 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: \$6,733
IMPR.: \$50,302
TOTAL: \$57,035

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant 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 2016 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 single-family dwelling of vinyl siding exterior construction with approximately 2,474 square feet of living area.¹ The dwelling was constructed in 2003. Features of the home include a full unfinished basement, central air conditioning, a fireplace and an attached three-car garage. The property has an 18,000 square foot site and is located in Belvidere, Belvidere Township, Boone County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal prepared by Brad Fidler, a licensed appraiser, for purposes of

¹ The appellant's appraiser reported a dwelling size of 2,455 square feet of living area as compared to the assessing officials who report 2,474 square feet of living area. Both parties have schematic drawings to support their respective calculations. The Board finds this slight size discrepancy does not prevent a determination of the correct assessment on this record.

determining market value for a tax assessment appeal which estimated the subject property had a market value of \$170,000 as of January 1, 2016.

Utilizing the sales comparison approach to value, the appraiser analyzed eight sales located within .7 of a mile of the subject property. The comparables were described as lots ranging in size from .23 to .43 of an acre of land area which have been improved with two-story dwellings of siding or brick and siding exterior construction. The homes ranged in age from 10 to 15 years old and ranged in size from 2,380 to 2,656 square feet of living area. Seven of the comparables had unfinished basements and comparable #8 had finished basement area. Each of the comparables has central air conditioning, a fireplace and a two-car or a three-car garage. The sales occurred from March 2013 to August 2015 for prices ranging from \$170,000 to \$195,500 or from \$64.84 to \$74.94 per square foot of living area, including land. After making adjustments to the comparables for differences in porch/patio/deck features, landscaping, garage stalls and/or exterior construction, the appraiser estimated the comparables had adjusted sales prices ranging from \$163,770 to \$191,500.

From this data, the appraiser concluded an estimated market value for the subject of \$170,000 as of January 1, 2016. Based on this evidence, the appellant requested an assessment reflective of the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$59,537. The subject's assessment reflects a market value of \$177,458 or \$71.73 per square foot of living area, including land, when using the 2016 three year average median level of assessment for Boone County of 33.55% as determined by the Illinois Department of Revenue.

As to the appellant's appraisal, the board of review noted that the appraiser "is a longtime resident of Belvidere, Boone County, Illinois and it is reasonable to assume he is familiar with the current Real Estate Market in the area and has access to recent sales." The board of review also noted that the appraisal provided eight similar style homes to the subject and "provides a reasonable value range for determining an indication of value for the subject." The board of review also placed the eight appraisal sales in a spreadsheet (Exhibit 2) and reported that appraisal sale #3 had a more recent August 2015 sale price of \$195,000, rather than the September 2013 sale price of \$170,000 that the appraiser reported.

In support of its contention of the correct assessment the board of review submitted information on six comparable sales in a spreadsheet (Exhibit 4) where comparables #2, #5 and #6 were the same properties as appraisal sales #5, #3 and #4, respectively. The comparables were described as lots ranging in size from 10,890 to 18,295 square feet of land area which have been improved with two-story dwellings of frame or frame and brick exterior construction. The homes were built between 2002 and 2006. The homes ranged in size from 2,420 to 2,596 square feet of living area. Each comparable had an unfinished basement, central air conditioning, a fireplace and a garage ranging in size from 484 to 862 square feet of building area. The sales occurred from December 2013 to August 2015 for prices ranging from \$155,000 to \$195,500 or from \$63.37 to \$77.66 per square foot of living area, including land. After making adjustments to three of the comparables for brick trim, the board of review reported the comparables had adjusted sales prices ranging from \$63.37 to \$77.26 per square foot of living area, including land.

Furthermore, the board of review noted that the subject's estimated market value as reflected by its assessment was based upon "mass appraisal" techniques. As such, the board of review also presented Exhibit 6 consisting of 18 sales in the subject's subdivision which occurred between January 2013 and October 2015 for prices ranging from \$150,000 to \$195,500 with a reported median sale price of \$175,450. The homes range in size from 2,398 to 2,709 square feet of living area and were built between 2000 and 2006.

Based on the foregoing evidence and argument, the board of review requested confirmation of the subject's estimated market value as reflected by its 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the appraisal submitted by the appellant which reflects comparables similar to the subject which have been adjusted for differences when compared to the subject. Less weight was given to the three additional comparable sales presented by the board of review as the sales occurred more remote in time to the assessment date at issue of January 1, 2016 and/or lacked adjustments for differences when compared to the subject property. The subject's assessment reflects a market value of \$177,458 or \$71.73 per square foot of living area, including land, which is slightly above the appraised value. Given the agreement of the parties as to the relevant sales and what appears to be a credible appraisal report with reasonable and logical adjustments for differences, the Board finds the subject property had a market value of \$170,000 as of the assessment date at issue. Since market value has been established the 2016 three year average median level of assessments for Boone County of 33.55% as determined by the Illinois Department of Revenue shall apply. (86 Ill.Admin.Code §1910.50(c)(1)).

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(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) 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



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: July 17, 2018



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

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