



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

APPELLANT: Jimmie Anderson & Bessie Wheeler
DOCKET NO.: 16-01068.001-R-1
PARCEL NO.: 12-15-353-003

The parties of record before the Property Tax Appeal Board are Jimmie Anderson & Bessie Wheeler, the appellants, 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: \$7,242
IMPR.: \$35,550
TOTAL: \$42,792

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 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-bedroom condominium unit containing 2,245 square feet of living area. The unit is located in a two-unit frame and brick condominium building that was built in 1990. Features of the unit include a full unfinished basement, central air conditioning, a fireplace and an attached 400 square foot garage. The property has an approximately .24-acre site and is located in Rockford, Rockford Township, Winnebago County.

The appellants contend overvaluation as the sole basis of the appeal in Section 2d of the appeal petition. As part of the petition, the appellants also reported the subject property was purchased in February 2014, one year and 10 months prior to the assessment date at issue, for \$90,000 as a foreclosure which had been on the market since September 2013. The appellants further included a copy of the Settlement Statement reflecting the \$90,000 purchase price.

In support of the overvaluation claim, the appellants provided three comparable sales in the Section V grid analysis of the Residential Appeal petition. The comparables consist of two-story condominium units that were located within a mile of the subject property. The comparable units ranged in age from 20 to 33 years old and have buildings that contain either two or five units in each building. The units range in size from 1,046 to 1,984 square feet of living area and feature basements, two of which have finished areas. Each comparable has central air conditioning, two of the comparables each have a fireplace and each of the comparables have 400 square foot garages. The comparables sold between January 2015 to January 2017 for prices ranging from \$78,500 to \$93,000 or from \$46.88 to \$76.48 per square foot of living area, including land.

Based on the foregoing evidence, the appellants requested a reduced assessment that would reflect a market value of approximately \$89,991.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$47,792. The subject's assessment reflects a market value of \$143,304 or \$63.83 per square foot of living area, land included, when using the 2016 three year average median level of assessment for Winnebago County of 33.35% as determined by the Illinois Department of Revenue.

In response to the appellants' comparable sales data, the board of review contends the comparables are smaller than the subject and are within larger condominium buildings that contain 5 to 6 units.

In support of its contention of the correct assessment the board of review through the township assessor submitted information on five comparable sales where comparable #1 is "the only other Cape Cod style condo that has sold" which is also the "roof mate" of the subject property. The remaining comparables were described as townhome style dwellings and were located up to 1.8-miles from the subject. The comparables consist of two-story condominium or townhome units that were 27 to 34 years old. The comparables range in size from 1,493 to 2,102 square feet of living area. Features include basements, two of which have recreation room areas. Each comparable has central air conditioning, a fireplace and a garage ranging in size from 420 to 460 square feet of building area. The comparables sold between November 2013 and June 2016 for prices ranging from \$132,000 to \$150,000 or from \$63.89 to \$100.47 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 estimated market value as reflected by its 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 eight comparable sales along with the appellants reporting the recent sale price of the subject property to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellants' comparables #2 and #3 along with board of review comparables #2 and #3 due to differences in dwelling size when compared to the subject and/or the dated nature of the sales evidence which is less proximate in time to the valuation date of January 1, 2016 and are less likely to be indicative of market value as of the assessment date at issue. The Board has also given reduced weight to the subject's February 2014 sale price of \$90,000 which appears to fall below and outside of the range of recent sale prices of similar condominium units.

The Board finds the best evidence of market value in the record to be appellants' comparable sale #1 along with board of review comparable sales #1, #4 and #5. These four most similar comparables range in size from 1,984 to 2,102 square feet of living area. These comparables sold between August 2014 and June 2016 for prices ranging from \$93,000 to \$142,000 or from \$46.88 to \$67.85 per square foot of living area, including land. The subject's assessment reflects a market value of \$143,304 or \$63.83 per square foot of living area, including land, which is within the range established by the best comparable sales in this record on a per-square-foot basis and slightly higher than the comparables in terms of overall value. Given the subject's slightly larger dwelling size when compared to the best comparable sales, the Board finds the subject's slightly higher overall value is logical.

In conclusion and based on the record 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. 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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