



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

APPELLANT: Andrew Krieger & Erin Waldron
DOCKET NO.: 16-05226.001-R-1
PARCEL NO.: 14-2-15-14-14-302-013

The parties of record before the Property Tax Appeal Board are Andrew Krieger & Erin Waldron, the appellants, and the Madison 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 **Madison** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$12,600
IMPR.: \$72,910
TOTAL: \$85,510

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants timely filed the appeal from a decision of the Madison 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 one-story dwelling of frame and brick exterior construction with 1,930 square feet of living area. The dwelling was constructed in 2005. Features of the home include an unfinished basement, central air conditioning, a fireplace and a three-car garage. The property is located in Edwardsville, Edwardsville Township, Madison County.

The appellants contend overvaluation as the basis of the appeal. Furthermore, the Board finds that the appellants filed this appeal from a Notice of Final Decision issued by the Madison County Board of Review which raised the subject's total assessment from \$80,850 to \$85,510 due to the application of an Edwardsville Township equalization factor of 1.0576. The Notice further indicates that the equalized assessed value of the subject property reflects a market value of \$256,560 which would be \$132.93 per square foot of living area, including land.

In support of the overvaluation argument, the appellants submitted information on four comparable sales located from .5 of a mile to 2.2-miles from the subject property. The comparables were described as one-story dwellings that were from 14 to 25 years old. The homes range in size from 1,515 to 2,667 square feet of living area with basements, three of which have finished areas. Each home has central air conditioning, a fireplace and a two-car garage. The comparables sold between April 2016 and March 2017 for prices ranging from \$201,000 to \$237,500 or from \$89.05 to \$135.31 per square foot of living area, including land.

Based on this evidence, the appellants requested a reduced total assessment by removal of the increase caused by the equalization factor to \$80,850 which would reflect a market value of approximately \$242,550 or \$125.67 per square foot of living area, including land

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total equalized assessment for the subject of \$85,510. The subject's equalized assessment reflects a market value of \$256,941 or \$133.13 per square foot of living area, land included, when using the 2016 three year average median level of assessment for Madison County of 33.28% as determined by the Illinois Department of Revenue.

In response to the appeal, the board of review submitted a memorandum which asserted that the subject property's estimated market value is within the range of the comparable sales presented by the appellants.¹

In support of its contention of the correct assessment the board of review submitted information on four comparable sales located from 1.1 to 5-miles from the subject property. The comparables consist of one-story frame and brick dwellings that were built in 2000 or 2003. The comparables range in size from 1,660 to 2,032 square feet of living area and feature full basements, each with finished area, central air conditioning, a fireplace and a garage ranging in size from 660 to 901 square feet of building area. The properties sold between August 2016 and June 2017 for prices ranging from \$302,000 to \$365,000 or from \$153.54 to \$197.51 per square foot of living area, including land.

The board of review also reported that the subject property sold in May 2017 for \$325,000. A copy of the PTAX-203 Illinois Real Estate Transfer Declaration for the transaction reflects that the property was not advertised prior to its sale.

Based on the foregoing evidence and argument, the board of review requested confirmation of the subject's equalized assessed value which was less than its more recent sale price.

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

¹ The memorandum incorrectly states the sales range of the appellants' comparables to be \$89.05 to \$160.28.

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 seven comparable sales to support their respective positions before the Property Tax Appeal Board and the board of review also reported the May 2017 sale price of the subject property which occurred one year and five months after the valuation date at issue. None of the comparable properties are particularly similar to the subject property in location, age, size and/or features. Many of the comparables are distant from the subject property. The appellants' comparable #1 is twice as old as the subject property and appellants' comparable #4 is substantially larger than the subject dwelling. Both parties have also presented comparables which have finished basements whereas the subject property has an unfinished basement.

The Board finds the seven comparables in the record sold between April 2016 and June 2017 for prices ranging from \$201,000 to \$365,000 or from \$89.05 to \$197.51 per square foot of living area, including land, and the subject property sold in May 2017 for \$325,000. The subject's assessment reflects a market value of \$256,941 or \$133.13 per square foot of living area, including land, which is within the range established by the seven comparable sales in this record and below the sale price of the subject property that occurred one year and five months after the valuation date at issue of January 1, 2016.

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. 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: November 20, 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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