



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

APPELLANT: Michael & Tracey Wunderlich
DOCKET NO.: 16-06332.001-R-1
PARCEL NO.: 14-2-15-28-18-301-017

The parties of record before the Property Tax Appeal Board are Michael & Tracey Wunderlich, 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: \$31,960
IMPR.: \$91,790
TOTAL: \$123,750

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 two-story dwelling of brick and frame exterior construction with 3,044¹ square feet of living area. The dwelling was constructed in 2005. Features of the home include a full unfinished basement, central air conditioning, two fireplaces and a 750 square foot garage. The property has a 13,107 square foot site and is located in Glen Carbon, Edwardsville Township, Madison County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument, the appellants submitted information on three comparable sales located in the same neighborhood

¹ The appellants described the subject dwelling as having 1.5 stories and 3,148 square feet of living area, while the board of review reported the subject dwelling as having two stories and 3,044 square feet of living area. The Board finds the best evidence of design and dwelling size was the subject's property record card submitted by the board of review that had a schematic diagram, measurements and calculations of the dwelling's size.

code as the subject property as assigned by the township assessor.² The comparables have sites ranging in size from 11,050 to 15,729 square feet of land area. The comparables were described as being improved with two-story dwellings of brick and frame exterior construction that range in size from 2,056 to 2,144 square feet of living area.³ The dwellings were built from 1999 to 2005. Each comparable has a basement with finished area, central air conditioning, one fireplace and a garage ranging in size from 670 to 840 square feet of building area. The comparables sold in either January or March 2017 for prices ranging from \$265,000 to \$310,000 or from \$128.89 to \$144.59 per square foot of living area, including land.

The appellants also submitted a copy of the Notice of Final Decision on Assessed Value by Board of Review dated March 13, 2017, disclosing the subject's assessment was increased from \$117,010 to \$123,750 by the application of a township equalization factor of 1.0576.

The appellants requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$123,750. The subject's assessment reflects a market value of \$371,845 or \$122.16 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 argued that the appellants' grid analysis incorrectly depicted the living area sizes of each of the comparables. The board of review submitted a corrected grid analysis of the appellants' comparables and contends the subject's assessment is the lowest price per square foot in both sales and equity. 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the only evidence of market value to be the three comparable sales contained in this record. Although these comparables are significantly smaller in size, they are similar to the subject in location, design, age and features. The comparables sold in either January or March

² The appellants included property information from the Madison County Government Chief County Assessment Official website pertaining to parcel 14-2-15-28-04-403-017 which was not depicted in the comparable sales grid. The record disclosed this property sold in May 2006 for a price of \$305,000, which is less proximate in time to the lien date at issue and less likely to be indicative of the subject's market value as of the January 1, 2016 assessment date.

³ Based on the property record card evidence submitted by the board of review, the appellants used incorrect dwelling sizes for the comparables. Therefore, the sale price per square foot of living area for each comparable was also incorrect.

2017 for prices ranging from \$265,000 to \$310,000 or from \$128.89 to \$144.59 per square foot of living area, including land. The subject's assessment reflects a market value of \$371,845 or \$122.16 per square foot of living area, land included, which is above the overall price range but below the range on a square foot basis of the comparable sales in this record. The subject's overall higher value is justified based on the dwellings larger size relative to the comparable sales. After considering adjustments to the comparable sales for differences when compared to the subject, the Board finds the estimated market value as reflected by the assessment is supported and 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. 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: February 18, 2020



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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