



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

APPELLANT: Ray Anderes
DOCKET NO.: 16-06776.001-R-1
PARCEL NO.: 18-15-327-009

The parties of record before the Property Tax Appeal Board are Ray Anderes, the appellant, and the LaSalle 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 **LaSalle** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$26,901
IMPR.: \$80,099
TOTAL: \$107,000

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the LaSalle 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 commercial building of brick exterior construction which is operated as a bar and grill. The building contains 9,000 square feet of building area with an open masonry porch of 720 square feet. Features include central air conditioning. The property has a .22-acre site and is located in LaSalle Township, LaSalle County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on three comparable sales along with additional documentation. The appellant included a copy of a letter issued by the Building Inspection Department of the City of LaSalle indicating that renovation work on the subject property was completed in September 2016 at which time a final inspection was also completed.

As set forth in the Section V grid analysis and based on supporting documentation, the comparables are located in either Peru or LaSalle. Comparable #1 is a commercial building with

a three-bedroom apartment on the second floor located in LaSalle as set forth in the Multiple Listing Service (MLS) data sheet which depicted an original asking price of \$395,000 which was subsequently reduced to \$240,000 before being sold for \$110,000. Comparable #2 is a commercial building located in Peru which had an original asking price of \$185,000 as stated on the applicable MLS data sheet before being sold for \$130,000. Comparable #3 is a commercial building in LaSalle used as a restaurant/steakhouse with an asking price of \$419,000 as stated on the applicable MLS data sheet which was subsequently reduced to \$249,000 before being sold for \$225,000.

The comparables are described as either one-story or two-story buildings of frame, Dryvit or brick and frame exterior construction. The buildings range in size from 2,994 to 5,056 square feet of building area and each comparable has central air conditioning. The comparables sold from February 2015 to September 2016 for prices ranging from \$110,000 to \$225,000 or from \$21.76 to \$75.15 per square foot of building area, including land.

Based on the foregoing evidence, the appellant requested a reduced total assessment of \$107,000 which would reflect a market value of \$321,032 or \$35.67 per square foot of building area, including land, at the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$177,189. The subject's assessment reflects a market value of \$536,611 or \$59.62 per square foot of building area, land included, when using the 2016 three year average median level of assessment for LaSalle County of 33.02% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment, the board of review resubmitted the appellant's grid analysis with minor corrections and added one comparable identified as board of review comparable #4. The board of review also submitted a copy of the property record cards for appellant/board of review comparable #1 which indicates that the property sold for \$100,000 as a five parcel sale where one of these additional parcels is also improved with a 780 square foot garage building; the remaining parcels are vacant land as set forth in the property record cards. The five parcels comprising comparable #1 reportedly total 1.14-acres of land area.

This additional comparable identified as board of review comparable #4 is located in Utica and consists of a two-story commercial building with an apartment on the second floor. The building contains 3,834 square feet of building area and features central air conditioning. The comparable sold in January 2016 for \$257,500 or \$67.16 per square foot of building area, including land. Based on the foregoing evidence provide by both parties, 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 parties submitted a total of four comparables sales, with three common properties, to support their respective positions before the Property Tax Appeal Board. The comparables have varying degrees of similarity to the subject, but each building is smaller than the subject structure of 9,000 square feet of building area. The comparable main structures range in size from 2,994 to 5,056 square feet of building area. Accepted real estate valuation theory provides that all factors being equal, as the size of the property increases, the per unit value decreases. In contrast, as the size of a property decreases, the per unit value increases. The four comparables in the record sold from February 2015 to September 2016 for prices ranging from \$100,000 to \$257,500 or from \$19.78 to \$75.15 per square foot of building area, including land. The subject's assessment reflects a market value of \$536,611 or \$59.62 per square foot of building area, including land, which falls within the range of the comparable sales presented on a per-square-foot basis but appears to be excessive given the subject building's significantly larger size.

After considering adjustments to the comparables for differences when compared to the subject, the Property Tax Appeal Board finds a reduction in the subject's assessment commensurate with the appellant's total assessment request is 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 21, 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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