



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

APPELLANT: Patrick Brydon
DOCKET NO.: 16-07187.001-R-1
PARCEL NO.: 08-27.0-408-010

The parties of record before the Property Tax Appeal Board are Patrick Brydon, the appellant; and the St. Clair 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 **St. Clair** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$3,041
IMPR.: \$25,473
TOTAL: \$28,514

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the St. Clair 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 construction with 1,700 square feet of living area.¹ The dwelling was constructed in 1972. Features of the home include a concrete slab foundation and central air conditioning. The property has a 6,338 square foot site and is located in Belleville, Belleville Township, St. Clair County.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal of the subject property prepared by Kenworth Johnston, State of Illinois Certified General Real Estate Appraiser. The appraiser developed the sales comparison approach to value using four comparable sales located within .40 of a mile from the subject. The comparables are described

¹ The parties differ slightly as to the dwelling size of the subject. The Board finds the small discrepancy will not impact the Board's decision in this appeal.

as two, one-story ranch and two, two-story dwellings ranging in size from 980 to 1,745 square feet of living area and have features with varying degrees of similarity to the subject. The properties range in age from 40 to 46 years old and are situated on sites ranging in size from 6,229 to 9,075 square feet of land area. The comparables sold from January to November 2017 for prices ranging from \$40,000 to \$70,000 or from \$31.52 to \$51.93 per square foot of living area. After applying adjustments to the comparables for differences from the subject, the comparables had adjusted prices ranging from \$49,400 to \$69,900. Based on the adjusted sales, the appraiser estimated the subject had a market value of \$57,000 or \$33.53 per square foot of living area, including land as of December 13, 2017. Based on this evidence, the appellant 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 property of \$28,514. The subject's assessment reflects an estimated market value of \$85,371 or \$50.22 per square foot of living area, including land when applying the 2016 three-year average median level of assessment for St. Clair County of 33.40%.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales located within two blocks of the subject. The comparables are described as a one and one-half story dwelling and three, one-story dwellings of frame construction ranging in size from 1,254 to 1,512 square feet of living area. The dwellings were built from 1971 to 1978. Each comparable has a concrete slab foundation and central air conditioning. Two comparables each have a garage with either 220 or 288 square feet of building area. The comparables have sites ranging in size from 6,193 to 7,222 square feet of land area. The comparables sold from October 2015 to July 2016 for prices ranging from \$50,000 to \$77,900 or from \$36.44 to \$60.85 per square foot of living area, land included. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant stated that the appraisal was completed by a certified State of Illinois appraiser who inspected the interior of the home and provided a more accurate determination of market value than the board of review. The appellant also argued the subject is a rental property that is not in sellable condition unlike the comparables submitted by the board of review.²

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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board gave little weight to the value conclusion in the appellant's appraisal dated December 13, 2017 which is approximately 23 months after the January 1, 2016 assessment date and less likely to be probative of the subject's market value as of the assessment date at issue. Likewise, three of the comparables sales used in the appraisal occurred approximately 19 to 23 months

² The appellant provided no market evidence to support this claim.

after the January 1, 2016 assessment date. Furthermore, two comparables are dissimilar two-story dwellings and two have considerably smaller dwellings sizes when compared to the subject. These factors undermine the appraiser's value conclusion.

The Board finds the best evidence of market value to be board of review comparable sales. These comparables sold proximate in time to the January 1, 2016 assessment date and are similar to the subject in location, lot size, design, age and some features. However, all comparables have smaller dwelling sizes which require upward adjustments and two comparables have superior garages that require downward adjustments when compared to the subject. They sold in June or July 2016 for prices ranging from \$50,000 to \$77,900 or from \$36.44 to \$60.85 per square foot of living area, including land. The subject's assessment reflects a market value of \$85,371 or \$50.22 per square foot of living area, including land, which falls within the range established by the best comparable sales in the record on a square foot basis but above the overall price range which is justified when considering the subject's larger dwelling size. After considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported and a reduction in the subject's assessment is not 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: August 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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