



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

APPELLANT: C. T. Yang
DOCKET NO.: 17-05835.001-C-1 through 17-05835.002-C-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are C. T. Yang, the appellant; and the Sangamon 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 **Sangamon** County Board of Review is warranted. The correct assessed valuation of the property is:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
17-05835.001-C-1	14-34.0-352-030	\$8,665	\$50,101	\$58,766
17-05835.002-C-1	14-34.0-352-031	\$9,366	\$715	\$10,081

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Sangamon County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2017 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 building of brick exterior construction with 5,390 square feet of building area. The approximate year built for the building was not reported. The property has a dual use including one three-bedroom apartment and a commercial/warehouse space. Photographic evidence of the subject shows an attached garage. No details regarding foundation construction, heating/cooling or other features of the subject improvements were disclosed. The subject includes two parcels, one of which was identified as a parking lot¹. The property has a 12,126² square foot total site size and is located in Springfield, Capital Township, Sangamon County.

¹ Detailed description of the subject's functional use was disclosed in the Multiple Listing Service sheet for the subject property.

² The subject's site size is based on dimensions of each parcel as provided in the PTAX-203 Real Estate Transfer Declaration which differ from the site size reported in the MLS sheet and Section III of the appeal submitted by the appellant.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on December 14, 2015 for a price of \$67,000 or \$12.43 per square foot of building area, land included. The appellant completed Section IV-Recent Sale Data indicating the property was purchased from Acquired Capital II, L.P., that the sale was not between related parties or related corporations, and states the property was advertised in the multiple listing service for a period of 425 days. The appellant also submitted a copy of the Multiple Listing Service (MLS) sheet for the subject property, the PTAX-203 Real Estate Transfer Declaration, a copy of the Special Warranty Deed as well as the settlement statement disclosing a commission payment to Re/Max Professionals. Based on this evidence, the appellant requested a reduction in the subject's assessment to \$19,500 which reflects an estimated market value of \$58,506.

The appellant submitted a copy of the 2017 Sangamon County assessment notice disclosing the pre-equalized assessments of \$58,766 and \$10,081 for a total assessed value of \$68,847. The subject's assessment for both parcels reflects a market value of \$207,012 or \$38.41 per square foot of building area, land included.

The evidence disclosed that on March 23, 2018, the Sangamon County Board of Review issued decisions for each parcel following a complaint by the appellant. On April 10, 2018, the Sangamon County Board of Review sent out a notice of the application of a township equalization factor of 1.0148 increasing the assessments of each parcel. The appellant filed the appeals with the Property Tax Appeal Board on April 26, 2018.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total equalized assessment for parcel number 14-34.0-352-030 of \$59,635. The assessment of this parcel reflects a market value of \$178,923 when using the 2017 three year average median level of assessment for Sangamon County of 33.33% as determined by the Illinois Department of Revenue.

The board of review indicated on its submission that the appellant filed a complaint and appeared before the board of review, however, the board of review noted that the appellant provided "no evidence to show value." The board of review submitted no additional evidence in support of the 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 Board finds the only evidence of market value is the purchase of the subject property in December 2015 for a price of \$67,000. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, the property was

sold using a Realtor, the property had been advertised on the open market in the Multiple Listing Service and it had been on the market for 425 days. In further support of the transaction the appellant submitted a copy of the Special Warranty Deed, settlement statement, PTAX-203 Illinois Real Estate Transfer Declaration and MLS listing. The Board finds the purchase price is below the market value reflected by the assessment. The Board finds the board of review did not present any evidence to challenge the arm's length nature of the transaction or to refute the contention that the purchase price was reflective of market value. Based on this record the Board finds the subject property had a market value of \$67,000 as of January 1, 2015. The record disclosed the appellant did not timely file the appeal within 30-days of the decision issued by the board of review on March 23, 2018, as required by Section 16-160 of the Property Tax Code, to give the Property Tax Appeal Board full jurisdiction over the assessment. However, the record further disclosed that the appellant timely filed the appeal directly to the Property Tax Appeal Board after the application of a township equalization factor by the board of review. The assessment notice disclosed the assessment on the property was increased by the application of a township equalization factor of 1.0148.

Due to the fact the appeal was timely filed after notification of an equalization factor, the amount of relief that the Property Tax Appeal Board may grant is limited. Section 1910.60(a) of the rules of the Property Tax Appeal Board states in Part:

If the taxpayer or owner of property files a petition within 30 days after the postmark date of the written notice of the application of final, adopted township equalization factors, the relief the Property Tax Appeal Board may grant is limited to the amount of the increase caused by the application of the township equalization factor. 86 Ill.Admin.Code §1910.60(a).

Additionally, section 16-180 of the Property Tax Code (35 ILCS 200/16-180) provides in pertinent part:

Where no complaint has been made to the board of review of the county where the property is located and the appeal is based solely on the effect of an equalization factor assigned to all property or to a class of property by the board of review, the Property Tax Appeal Board may not grant a reduction in the assessment greater than the amount that was added as the result of the equalization factor.

These provisions mean that where a taxpayer files an appeal directly to the Property Tax Appeal Board after notice of the application of an equalization factor, the Board cannot grant an assessment reduction greater than the amount of increase caused by the equalization factor. Villa Retirement Apartments, Inc. V. Property Tax Appeal Board, 302 Ill.App.3d 745, 753 (4th Dist. 1999). Based on a review of the evidence contained in the record, the Property Tax Appeal Board finds a reduction in the assessment of the subject property is supported, however, the reduction is limited to the increase in the assessment caused by the application of the township equalization factor.

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: October 20, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

C.T. Yang
PO Box 7345
Springfield , IL 62791

COUNTY

Sangamon County Board of Review
Sangamon County Complex
200 South 9th Street, Room 210
Springfield, IL 62701