



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

APPELLANT: Illinois Investment Properties, LLC
DOCKET NO.: 17-06221.001-R-1
PARCEL NO.: 07-29-176-007

The parties of record before the Property Tax Appeal Board are Illinois Investment Properties, LLC, the appellant, by attorney Thomas Benedick in O'Fallon; and the Jefferson 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 **Jefferson** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$3,073
IMPR.: \$13,561
TOTAL: \$16,634

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Jefferson 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 split-level dwelling of brick and frame exterior construction with 1,568 square feet of above-grade living area. The dwelling was constructed in 1968. Features of the home include a lower level with finished area, central air conditioning and a one-car garage. The property has a 10,645 square foot site and is located in Mt. Vernon, Mt. Vernon Township, Jefferson County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales located from .4 of a mile to 2.9 miles from the subject property. The comparables have sites that range in size from approximately 4,791 to 27,443 square feet of land area. The comparables area improved with a 1.5-story dwelling and two bi-level dwellings of frame exterior construction ranging in size from 1,296 to 2,550 square feet of above ground living area. The dwellings were constructed from 1910 to

1962. The 1.5-story dwelling features an unfinished basement and the bi-level dwellings each have a lower level with finished area. Each comparable has central air conditioning and a one-car to a two-car garage. The comparables sold from August to October 2017 for prices ranging from \$26,500 to \$39,000 or from \$15.29 to \$23.15 per square foot of above-grade living area, including land. The appellant provided interior and exterior photographs of the subject property which depicted the condition of the dwelling as being in need of repair. The appellant also submitted a copy of the decision of the board of review disclosing the subject property had a total assessment of \$26,487 reflecting a market value of \$79,469 or \$50.68 per square foot of living area, including land, when using the 2017 three-year average median level of assessment of 33.33% for Jefferson County. The appellant requested the subject's assessment be reduced to \$16,634.

The board of review did not timely submit its "Board of Review Notes on Appeal" or any evidence in support of its assessment of the subject property as required by section 1910.40(a) of the rules of the Property Tax Appeal Board. 86 Ill.Admin.Code §1910.40(a). Therefore, the board of review was found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board. 86 Ill.Admin.Code §1910.69(a).

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 to be the comparable sales submitted by the appellant. However, the board gave less weight to the appellant's comparable sale #1 due to its significantly older dwelling age when compared to the subject. The two remaining properties have varying degrees of similarity when compared to the subject. They sold in October and September 2017 for prices of \$30,000 and \$39,000 or for \$23.15 and \$15.29 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$79,469 or \$50.68 per square foot of living area, land included, which falls above the range established by the only comparable sales in this record.

The board of review did not timely submit any evidence in support of its assessment of the subject property as required by section 1910.40(a) of the rules of the Property Tax Appeal Board and is found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board. 86 Ill.Admin.Code §1910.40(a) & §1910.69(a). The Board has examined the evidence submitted by the appellant and finds that a reduction in the assessed valuation of the subject property is justified commensurate with the appellant's request.

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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APPELLANT

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COUNTY

Jefferson County Board of Review
Jefferson County Courthouse
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