



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

APPELLANT: Falcon, LTD.  
DOCKET NO.: 17-06222.001-R-1  
PARCEL NO.: 07-29-113-001

The parties of record before the Property Tax Appeal Board are Falcon, LTD., 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:** \$3,609  
**IMPR.:** \$11,391  
**TOTAL:** \$15,000

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 one-story dwelling of frame construction with 1,152 square feet of living area. The dwelling was constructed in 1955. Features of the home include central air conditioning and a two-car detached garage. The property has approximately a 27,600 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 a grid analysis on three comparable sales located 1.6 or 1.9 miles from the subject. The comparables are described as one-story or one and one-half story dwellings of frame construction ranging in size from 1,110 to 2,052 square feet of living area. The dwellings were built in 1920. Two comparables each have a basement, one of which is partially finished. One comparable has a fireplace and a two-car detached garage. One comparable has a one-car carport. The comparables have sites ranging in size from 6,534 to 8,276 square feet of land area.

The comparables sold in May or November 2017 for prices ranging from \$18,500 to \$25,000 or from \$9.02 to \$22.52 per square foot of living area, land included.

The appellant's grid analysis disclosed that the subject property sold for \$45,000 in December 2017. The appellant also submitted a copy of the agreement for deed associated with the subject sale and photographs showing the subject was in a state of disrepair. The appellant also submitted the final decision issued by the Jefferson County Board of Review disclosing the subject property's final assessment of \$20,200. The subject's assessment reflects an estimated market value of \$60,606 or \$52.61 per square foot of living area, including land, when applying the statutory level of assessment of 33.33%. Based on this evidence, the appellant requested a reduction in the subject's assessment to \$11,667.

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 contained in the record is the sale price of the subject property for \$45,000 in December 2017 and the appellant's three comparable sales. The Board gave less weight to the appellant's comparable sales due to their smaller lot sizes, larger dwelling sizes, older ages, dissimilar style and/or dissimilar features when compared to the subject. The Board finds the best evidence of market value to be the sale of the subject property in December 2017 for \$45,000. The Board finds neither party disputed the arm's length nature of the sale of the subject. The Illinois Supreme Court has defined fair cash value as what the property would bring at a voluntary sale where the owner is ready, willing, and able to sell but not compelled to do so, and the buyer is ready, willing and able to buy but not forced to do so. Springfield Marine Bank v. Property Tax Appeal Board, 44 Ill.2d. 428, (1970). A contemporaneous sale of two parties dealing at arm's-length is not only relevant to the question of fair cash value but is practically conclusive on the issue of whether an assessment is reflective of market value. Korzen v. Belt Railway Co. of Chicago, 37 Ill.2d 158 (1967). The subject's assessment reflects an estimated market value of \$60,606 which is greater than its sale price of \$45,000.

The board of review did not submit any evidence in support of its assessment of the subject property or refute the evidence submitted by the appellant. 86 Ill.Admin.Code §1910.40(a). As a result, 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).

Based on this analysis, the Board finds the appellant has demonstrated the subject property was overvalued by a preponderance of the evidence and a reduction in the subject's assessment commensurate to the appellant's 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: 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

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

APPELLANT

Falcon, LTD, by attorney:  
Thomas Benedick  
Attorney at Law  
1004 South Lincoln Avenue  
Suite 12  
O'Fallon, IL 62269

COUNTY

Jefferson County Board of Review  
Jefferson County Courthouse  
100 S 10th Street  
Mt. Vernon, IL 62864