



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

APPELLANT: Corey Wiegand
DOCKET NO.: 17-06387.001-R-1
PARCEL NO.: 13-13-17-312-011

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

LAND: \$ 6,600
IMPR.: \$55,400
TOTAL: \$62,000

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a 2016 decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) in order to challenge 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 frame multi-unit apartment building with 4,160 square feet of building area which was constructed in 1978 and consists of five units. Features include a crawl-space foundation, central air conditioning and two carports of a total building area of 2,304 square feet. The property has a 21,120 square foot site and is located in Mackinaw, Mackinaw Township, Tazewell County.

The appellant contends overvaluation as the basis of the appeal. In support of the overvaluation argument, the appellant submitted information nine comparable sales and two listings. All eleven suggested comparables were located from .5 of a mile to 24.9-miles from the subject property. The comparables were located in the communities of Mackinaw, East Peoria, Pekin, Creve Coeur, Normal (McLean County), Delavan and South Pekin. The comparables consist of two, one-story and nine, two-story frame, block/metal or brick buildings that were 39 to 62 years old. The comparables range in size from 2,520 to 5,920 square feet of building area and have

three to six units. Comparable #6 also has a fully finished basement and ten comparables have central air conditioning. Comparables #2 and #10 reportedly have carports or garages of 1,122 and 960 square feet of building area, respectively. Comparables #1 through #8 and #11 sold between January 2016 and September 2018 for prices ranging from \$90,000 to \$150,000 or from \$22.82 to \$41.67 per square foot of building area or from \$22,500 to \$37,500, per unit, including land. Comparables #9 and #10 were reportedly on the market from August 2016 and May 2018 to the present, respectively, with asking prices of \$99,900 and \$159,900 or \$33.93 and \$27.01 per square foot of building area, or for \$33,300 and \$39,975, per unit, including land.

In further support of the overvaluation argument, the appellant stated that he purchased the subject property in January 2002 for \$159,000. While the county records depict the purchase price as \$189,000, the appellant contends this data is in error. A copy of the Warranty Deed issued at the time of sale along with the Settlement Statement were provided. However, the Board further finds that the Warranty Deed, in pertinent part, states that the appellant obtained "an undivided one-half interest" in the property.

Based on the foregoing market value evidence, the appellant requested a reduced total assessment for the subject of \$58,240 which would reflect a market value of approximately \$174,720 or \$42.00 per square foot of building area or \$34,944 per unit, including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total equalized assessment for the subject of \$66,940. The subject's equalized assessment reflects a market value of \$203,651 or \$48.95 per square foot of building area or \$40,730 per unit, land included, when using the 2017 three year average median level of assessment for Tazewell County of 32.87% as determined by the Illinois Department of Revenue.

As part of its submission, the board of review proposed to reduce the subject's total assessment to \$62,000 which would reflect a market value of approximately \$186,000 or \$44.71 per square foot of building area or \$37,200 per unit, including land. The appellant was informed of this proposed assessment reduction and rejected the offer.

As to the appellant's submission, the board of review critiqued the appellant's comparable sales evidence noting that four of the comparables were located in a county other than Tazewell. Furthermore, nine of the appellant's comparable buildings differ in story height from the subject's one-story design which the board of review opines "affects GBA values." Additionally, two of the comparables presented by the appellant were active listings rather than closed sales and appellant's comparable #11 was a "non-advertised sale."

Furthermore, as to the appellant's purchase of the subject property, the board of review contends the property was purchased by the appellant and a partner in January 2002 for \$253,200. Since the date of purchase, the appellant became a full owner of the property via Quit Claim deed in 2015.

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales located in Pekin, Deer Creek and East Peoria. The comparables are located from 8.5 to 17.4-miles from the subject and consist of either one-story or two-story multi-family buildings, each with six units, of frame or frame and masonry exterior construction.

The buildings range in age from 25 to 50 years old and range in size from 3,600 to 6,048 square feet of building area. The comparables sold from February 2016 to October 2018 for prices ranging from \$182,000 to \$290,000 or from \$47.95 to \$50.55 per square foot of building area or from \$30,333 to \$48,333 per unit, including land.

Based on the foregoing evidence and argument, the board of review indicated that "the subject property is currently under assessed and a raise may be indicated."

In written rebuttal, besides rejecting the proposed assessment reduction put forth by the board of review, the appellant provided a detailed two-page memorandum addressing "errors and/or disagreement" with the board of review's evidence. In summary, the first contention regarding the subject's 2017 tax year assessment is a misunderstanding by the appellant; the 2016 decision of the Property Tax Appeal Board rendered an assessment of \$58,240. However, for tax year 2017, the equalized assessment of the subject property was \$66,940 which is what is in dispute in this appeal. To address the presentation of comparables from outside Tazewell County, the appellant asserted there are few available sales of apartment buildings. As to differences in story height, the appellant contends that two of the three comparable properties presented by the board of review similarly differ from the subject's one-story design. As to one of the appellant's listings, in the rebuttal, the appellant reports with supporting documentation that the property sold in March 2019 for \$157,000, slightly less than the reported asking price. As to the contention appellant's comparable sale #11 was unadvertised, the appellant argues there was no documentation to support the assertion.

As the only basis of appeal is comparable sales and, more importantly, since as the purchase of the subject property from 2002 is not proximate in time to the valuation date at issue, the Board has not further analyzed this aspect of the parties' factual disputes.

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 fourteen sales and/or listings to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparables #3 and #9 due to the smaller number of units in each property as compared to the subject's five-unit use. The Board has given reduced weight to appellant's comparables #1, #2 and #11 along with board of review comparable #2 due to differences in age between the comparables and the subject building.

The Board finds the best evidence of market value to be appellant's comparable sales/listings #4 through #8 and #10 along with board of review comparable sales #1 and #3. The comparables have either four or six units and present varying degrees of similarity to the subject in age, size and other features. These most similar comparables sold between March 2016 and March 2019

for prices ranging from \$90,000 to \$235,000 or from \$22.82 to \$50.55 per square foot of building area or from \$22,500 to \$39,975 per unit, including land. The subject's assessment reflects a market value of \$203,651 or \$48.95 per square foot of building area or \$40,730 per unit, including land, which is at the high end of the range in terms of overall value and on a per-square-foot basis and above the range on a per-unit value as established by the best comparable sales in this record. Based on this evidence and after considering adjustments to the best comparables for differences when compared to the subject, the Board finds a reduction in the subject's assessment is justified commensurate with the assessment reduction originally proposed by the Tazewell County Board of Review.

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: April 20, 2021



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

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