



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

APPELLANT: Fred Palmer
DOCKET NO.: 18-03958.001-R-1
PARCEL NO.: 01-36-000-692

The parties of record before the Property Tax Appeal Board are Fred Palmer, the appellant; and the Hancock 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 **Hancock** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$2,004
IMPR.: \$18,567
TOTAL: \$20,571

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Hancock County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2018 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 part 1-story and a part 1.5-story dwelling of frame exterior construction with 1,282 square feet of living area. The dwelling was constructed in 1879. Features of the home include a crawl space foundation, central air conditioning and a 576 square foot garage. The property has a 14,253 square foot site and is located in Nauvoo, Nauvoo Township, Hancock County¹.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on August 2, 2018 for a price of \$40,000. The appellant completed Section IV-Recent Sale Data of the appeal indicating the sale was not between family or related corporations, the property was sold by the owner and

¹ Subject property characteristics were obtained from the grid analysis submitted by the board of review which was determined to be more detailed than the information provided by the appellant in Section III-Description of Property of the appeal petition.

listed for sale for a “minimum of six months” in the Multiple Listing Service. The appellant also submitted the Closing Statement, warranty deed and copy of an advertising flyer from agent Carol Wright for the subject. The Closing Statement disclosed no commissions were paid. The flyer included a front photo, a minimal description of the property and disclosed a list price of \$75,000.

The appellant submitted written comments asserting the subject was listed with agent Carol Wright for “over six months” and after being vacant for a number of months was rented in May 2018. The appellant alleged that the seller, John Carico, “approached me after his real estate listing had expired, wanting to know if I were interested in buying his property.” Based on this evidence, the appellant requested a reduction in the subject's assessment to \$12,000 or approximately \$36,000 when applying the statutory assessment level of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$20,571. The subject's assessment reflects a market value of \$61,868 or \$48.26 per square foot of living area, land included, when using the 2018 three year average median level of assessment for Hancock County of 33.25% as determined by the Illinois Department of Revenue.

In response to the appellant’s evidence, the board of review submitted the PTAX-203 Illinois Real Estate Transfer Declaration associated with the appellant’s purchase of the subject property. That document reiterates the purchase price and discloses that the property was not advertised for sale. Based on this document, the board of review states that the subject’s sale did not represent a valid, fair market sale for the subject property.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales located within 1,500 feet of the subject property. The comparables have sites that range in size from 11,193 to 22,440 square feet of land area and are improved with a 1-story and two, 1.5-story dwellings of frame exterior construction that range in size from 1,104 to 2,274 square feet of living area. The homes were built from 1879 to 1914. Each comparable has a crawl space foundation and comparable #3 has a 768 square foot garage. The comparables sold from August 2017 to March 2018 for prices ranging from \$52,000 to \$74,000 or from \$22.87 to \$67.03 per square foot of living area, land included. Based on this evidence, the board of review requested the subject’s assessment be confirmed.

During the time for rebuttal, written correspondence dated November 2019 from Larry Wayne Blanscett was filed in this appeal. Mr. Blanscett stated that he purchased the subject property from Fred Palmer in August 2019 for a price of \$47,500 and alleged that a bank appraisal contained an opinion of value totaling \$47,500. No supporting documents were submitted with respect to this subsequent sale of the subject property.

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.

As an initial matter, the Board gave little weight to the reported August 2019 sale of the subject property as no documentation was provided that would demonstrate the sale was an arm's-length transaction.

The Board finds the best evidence of market value in the record to be the comparable sales submitted by the board of review. These comparables were similar to the subject in location, style, construction, features, age and land area. These properties also sold proximate in time to the assessment date at issue for prices ranging from \$52,000 to \$74,000 or from \$22.87 to \$67.03 square foot of living area, land included. The subject's assessment reflects a market value of \$61,868 or \$48.26 per square foot of living area, including land, which falls within the range established by the best comparable sales in this record.

The Board also gave less weight to the subject's August 2018 sale for a price of \$40,000, as the PTAX-203 Real Estate Transfer Declaration, provided by the board of review, disclosed the subject property was not advertised for sale, which is one of the key elements of an arm's-length transaction. Therefore, the Board finds the evidence in this record did not provide proof of an arm's-length sale and a reduction in the subject's assessment is not 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: February 16, 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

AGENCY

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COUNTY

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