



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

APPELLANT: Terence & Debbie Millam
DOCKET NO.: 18-04433.001-R-1
PARCEL NO.: 08-13-13-404-004

The parties of record before the Property Tax Appeal Board are Terence and Debbie Millam, the appellants; and the Stephenson 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 **Stephenson** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$4,584
IMPR.: \$19,464
TOTAL: \$24,048

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants timely filed the appeal from a decision of the Stephenson 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 is improved with a raised-ranch style single-family dwelling with an aluminum siding and brick exterior containing 1,296 square feet of above ground living area. The dwelling was built in 1980. Features of the home include a basement/lower level that is partially finished, central air conditioning, and a two-car attached garage. The property has a 15,000 square foot site and is located in Freeport, Harlem Township, Stephenson County.

The appellants' appeal is based on overvaluation. In support of this argument the appellants submitted evidence disclosing the subject property was purchased on January 8, 2018, for a price of \$72,000. The appellants identified the seller as the Estate of Betty D. Griffin and further indicated the parties were not related. The appellants further indicated the property was sold through a Realtor, was advertised for sale in the multiple listing service (MLS) and had been on the market for 468 days. To document the sale the appellants submitted a copy of the PTAX-203 Illinois Real Estate Transfer Declaration disclosing a purchase price of \$72,000, a deduction of

\$1,500 for personal property, and a net consideration for the real property of \$70,500. The transfer declaration indicated the property had been advertised for sale. The appellants also submitted a copy of the settlement statement disclosing a purchase price of \$72,000 and a copy of the Executor's Deed.

Additionally, the appellants submitted a copy of an appraisal estimating the subject property had a market value of \$75,000 as of December 5, 2017. The purpose of the appraisal was for a purchase transaction and the property rights appraised was the fee simple interest. The client was identified as Union Savings Bank. The appraiser examined the purchase and indicated the property had been on the market for 484 days and had been listed in the MLS for a price of \$79,500 with a pending sale in November 2017 for a price of \$72,000. The appraiser indicated the sale was an arm's length transaction.

The appellants provided a copy of the final decision of the Stephenson County Board of Review resulting in a total assessment of \$28,333. The subject's assessment reflects a market value of \$84,829 when using the 2018 three-year average median level of assessment for Stephenson County of 33.40% as determined by the Illinois Department of Revenue.

Based on this evidence, the appellants requested the subject's assessment be reduced to \$24,000.

The board of review did not timely submit its "Board of Review Notes on Appeal" or evidence in support of its assessed valuation of the subject property.

Conclusion of Law

The appellants contend 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 appellants met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the purchase of the subject property in January 2018 for a price of \$72,000. The appellants provided evidence demonstrating the sale had the elements of an arm's length transaction 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 with the MLS and had been on the market for 468 days. In further support of the transaction the appellants submitted a copy of the PTAX-203 Illinois Real Estate Transfer Declaration and settlement statement. The appellants also provided a copy of an appraisal associated with the purchase containing an estimated market value for the subject property of \$75,000 as of December 5, 2017. The appraiser also reviewed the purchase and determined the sale to be an arm's length transaction. The Board finds both the purchase price and appraised value are below the market value reflected by the subject's assessment. The Board finds 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 Board. 86 Ill.Admin.Code §1910.40(a) & §1910.69(a). Based on this record the Board finds the subject

property had a market value of \$72,000 as of January 1, 2018. Since market value has been determined the 2018 three-year average median level of assessment for Stephenson County of 33.40% shall apply. 86 Ill.Admin.Code §1910.50(c)(1).

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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