



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

APPELLANT: Linda Dorsey
DOCKET NO.: 18-05022.001-R-1
PARCEL NO.: 21-24.0-377-008

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

LAND: \$32,197
IMPR.: \$106,809
TOTAL: \$139,006

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Sangamon 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 two-story dwelling of brick and vinyl exterior construction that was built in 1994. Features of the home include a partial basement that is partially finished, central air conditioning, one fireplace and a three-car attached garage. The property has a 15,344 square foot site and is located in Springfield, Capital Township, Sangamon County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted a Comparative Market Analysis prepared by D. Michael Davis of Coldwell Banker using three comparable sales. These same comparables were used by the appellant to complete Section V of the appeal. The subject property is described in the analysis as having approximately 4,143 square feet of finished area. The comparables are described as having from 3,642 to 4,435 square feet of finished area, which appears to include the finished basement area based on the copies of the listings submitted by the appellant. The comparables are composed of

1.5-story or 2-story dwellings that are similar to the subject in age. Each property has a basement that is partially finished, central air conditioning, two fireplaces and a three-car attached garage. The sales occurred from December 2018 to March 2019 for prices ranging from \$330,000 to \$385,000. Using these comparables the market analysis reported an adjusted price for the subject property of \$355,000.

The appellant also submitted a copy of the 2018 Assessment Notice from the Sangamon County Supervisor of Assessments disclosing the subject's assessment increased from \$139,006 to \$140,827 by the application of a board of review township equalization factor of 1.0131. Based on this evidence, the appellant requested the subject's assessment be reduced to \$139,006.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total equalized assessment for the subject of \$140,827. The subject's assessment reflects a market value of \$422,397 when using the 2018 three-year average median level of assessment for Sangamon County of 33.34% as determined by the Illinois Department of Revenue. The board of review reported the appellant did not file a local complaint for 2018. The board of review submitted a copy of the subject's property record card disclosing the home has 2,934 square feet of above grade living area and a 1,602 square foot basement with 800 square feet of finished area. No other evidence was provided by the board of review.

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 best evidence of value was the Comparative Market Analysis including three comparable sales presented by the appellant estimating the subject property would have an adjusted price of \$355,000, which is below the market value reflected by the subject's assessment. Although there may be an issue as to the correct size of the subject dwelling, the market analysis appears to be consistent in that the total living area for the subject and the comparables included the finished basement area. Based upon the evidence submitted, the Board finds that a reduction in the subject's assessment is supported. However, the record indicates that the appellant appealed the assessment directly to the Property Tax Appeal Board following receipt of the notice of the application of a township equalization factor issued by the board of review. Since the appeal was filed after notification of an equalization factor, the amount of relief that the Property Tax Appeal Board may grant is limited. Section 1910.60(a) of the rules of the Property Tax Appeal Board states in part:

If the taxpayer or owner of property files a petition within 30 days after the postmark date of the written notice of the application of final, adopted township equalization factors, the relief the Property Tax Appeal Board may grant is limited to the amount of the increase caused by the application of the township equalization factor. 86 Ill.Admin.Code §1910.60(a).

Additionally, section 16-180 of the Property Tax Code (35 ILCS 200/16-180) provides in pertinent part:

Where no complaint has been made to the board of review of the county where the property is located and the appeal is based solely on the effect of an equalization factor assigned to all property or to a class of property by the board of review, the Property Tax Appeal Board may not grant a reduction in the assessment greater than the amount that was added as the result of the equalization factor.

These provisions mean that where a taxpayer files an appeal directly to the Property Tax Appeal Board after notice of application of an equalization factor, the Board cannot grant an assessment reduction greater than the amount of increase caused by the equalization factor. Villa Retirement Apartments, Inc. v. Property Tax Appeal Board, 302 Ill.App.3d 745, 753 (4th Dist. 1999). Based on a review of the evidence contained in the record, the Property Tax Appeal Board finds a reduction in the assessment of the subject property is supported but is limited to the pre-equalized assessment, as requested by the appellant.

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

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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