



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

APPELLANT: Illinois Investment Properties LLC
DOCKET NO.: 19-02153.001-R-1
PARCEL NO.: 02-19.0-208-016

The parties of record before the Property Tax Appeal Board are Illinois Investment Properties LLC, the appellant, by Thomas Benedick, Attorney at Law in O'Fallon; and the St. Clair 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 **St. Clair** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$333
IMPR.: \$3,320
TOTAL: \$3,653

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the St. Clair County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2019 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 masonry exterior construction containing 974 square feet of living area. The dwelling was built in 1910. Features of the home include an unfinished basement and central air conditioning. The property has a 4,082-square foot site and is located in East St. Louis, East St. Louis Township, St. Clair County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on three comparable sales located from 3 to 3.7 miles from the subject property. The comparables have sites ranging in size from 6,970 to 14,767 square feet of land area and are improved with one-story dwellings of frame exterior construction that range in size from 1,071 to 1,320 square feet of living area. The dwellings were built from 1953 to 1957. One comparable has central air-conditioning and one has a detached 308-square foot garage. The comparables sold from February to May 2019 for prices ranging from \$3,500 to \$9,000 or

from \$3.04 to \$8.40 per square foot of living area, including land. The appellant also submitted property record cards for the subject and each comparable property along with the Multiple Listing Service (MLS) sheets associated with each comparable sale. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$3,650.¹ The reduced assessment would reflect a market value of \$10,922 or \$11.21 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total equalized assessment for the subject of \$6,043. The subject's equalized assessment reflects a market value of \$18,082 or \$18.56 per square foot of living area, land included, when using the 2019 three-year average median level of assessment for St. Clair County of 33.42% as determined by the Illinois Department of Revenue.

In its "Board of Review Notes on Appeal," the board of review offered to stipulate to the removal of the 2019 multiplier of 1.0243 resulting in the reduction of the subject's total assessment to \$5,900, which was originally appealed by the appellant.

In rebuttal, counsel for the appellant submitted a brief rejecting the board of review's offer contending that the removal of the multiplier does not reduce the assessed value. In addition, appellant's counsel argued that the board of review did not submit any comparable sales or any other evidence in support of the assessment, unlike the appellant who submitted comparable sales as evidence of market value.

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.

As an initial matter, with regard to the appellant's request for a reduction in the subject's land assessment, the Board finds that the appellant did not submit any evidence of market value with regard to the land and, therefore, no reduction in the subject's land assessment is warranted.

The only evidence of overall market value in the record are three comparable sales submitted by the appellant none of which are particularly similar to the subject. Each of the comparables are newer in construction; they each have larger lot sizes and dwelling sizes when compared to the subject; none have basements, dissimilar from the subject; and they are each located 3 miles or more distant from the subject. Additionally, comparable #2 has a detached garage which the subject property lacks but has no central air-conditioning which is a feature of the subject property. The only comparable sales in the record sold from February to May 2019 for prices ranging from \$3,500 to \$9,000 or from \$3.04 to \$8.40 per square foot of living area, including land. The subject's equalized assessment reflects a market value of \$18,082 or \$18.56 per square

¹ The appellant also requested a reduction in land assessment of \$3 but did not provide any supporting evidence of market value with regard to the land.

foot of living area, including land, which is well above the range established by the only comparable sales in this record. After considering downward adjustments to the comparables for their superior newer age, larger lot sizes, and larger dwelling sizes relative to the subject, as well as considering other adjustments for differences from the subject, the Board finds that the subject property is overvalued and, therefore, a reduction in the subject's total assessment commensurate with appellant's request is warranted.

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: June 8, 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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