



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

APPELLANT: Kent Anthony
DOCKET NO.: 19-09072.001-R-1
PARCEL NO.: 17-17-246-008

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

LAND: \$2,653
IMPR.: \$13,713
TOTAL: \$16,366

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the LaSalle 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 brick exterior construction with 1,009 square feet of living area. The dwelling was constructed in 1957.¹ Features of the home include a full basement and a 273 square foot garage. The property has 0.70 acre site and is located in Peru, Peru Township, LaSalle County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant completed Section IV – Recent Sale Data of the appeal petition and submitted evidence disclosing the subject property was purchased on July 30, 2018 for a price of \$49,000.

¹ The parties differ regarding the subject's year built and other features of the subject property. The Board finds the best evidence of the subject's year built and other features is found in the subject's property record card presented by the board of review.

The appellant identified the seller as the Kaushalya Jagasia and indicated the parties were not related. The appellant further disclosed the property had previously been listed with a realtor but was not listed at the time of the appellant's purchase. The appellant did not disclose how long the property was exposed on the market, but explained that the subject had been listed for sale with a realtor in July 2017 for \$94,500, the price reduced to \$89,500 in August 2017, and relisted in August 2017 for \$82,011. To document the appellant's purchase, the appellant submitted a copy of the settlement statement corroborating the sale date and sale price of \$49,000 and showing that no commission was paid at closing.

The appellant also submitted an attachment describing the personal property included with the purchase, namely, a refrigerator, a gas stove, a washer, a dryer, 3 window air conditioners, a lawn mower, and window treatments, which were valued by the appellant at \$3,050.² The appellant further described an "adjustment for land value" in the amount of \$2,653. After deducting the value of the personal property and the adjustment for land value, the appellant concluded that the value of the subject property was \$43,297. In support of the land adjustment the appellant submitted a spreadsheet showing a list of properties, lot sizes, and land assessments, where the appellant calculated the average land assessment was \$0.87 per square foot of land area and then calculated a land assessment for the subject of \$2,653.

Based on this evidence, the appellant requested a reduction in the subject's assessment to \$13,002, which would reflect a market value of \$39,010 or \$38.66 per square foot of living area, including land, at the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$25,000. The subject's assessment reflects a market value of \$74,850 or \$74.18 per square foot of living area, land included, when using the 2019 three year average median level of assessment for LaSalle County of 33.40% as determined by the Illinois Department of Revenue.

As part of its submission, the board of review offered to settle this appeal by reducing the subject's assessment to \$22,856 which would reflect a market value of \$68,431 or \$67.82 per square foot of living area, including land. The appellant was informed of this offer and rejected the proposal as insufficient.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales. The board of review also submitted a grid analysis, which purports to set forth four appellant's comparables which were not actually presented by the appellant in this appeal, a map depicting the locations of the board of review's comparables and purported appellant's comparables in relation to the subject, and property record cards for the board of review's comparables and purported appellant's comparables. These purported appellant's comparables were not part of the appellant's evidence and will not be considered further.

The board of review's comparables are located in Peru. The parcels range in size from 5,812 to 8,800 square feet of land area and are improved with one-story homes of brick exterior

² The Board notes that that these inventoried items are items typically sold with residential real estate (with the exception of the lawn mower to which a nominal value of \$250 was assigned).

construction ranging in size from 925 to 1,161 square feet of living area. The homes were built from 1941 to 1954. Three homes each have a basement, one of which has finished area, and three homes each have a fireplace. Each comparable has a garage ranging in size from 264 to 576 square feet of building area. The comparables sold from November 2016 to November 2018 for prices ranging from \$80,000 to \$110,000 or from \$86.49 to \$97.34 per square foot of living area, including land.

The board of review submitted a copy of the Real Estate Transfer Declaration for the July 2018 sale of the subject property, which disclosed that the subject was not advertised for sale, the sale was not between related individuals, the sale was not a transfer of less than 100 percent interest, and the sale was not a court-ordered sale, sale in lieu of foreclosure, condemnation, short sale, bank REO, or auction sale. The board of review contended that the July 2018 sale was not reflective of market value because the subject was not advertised for sale at the time of the appellant's purchase and the personal property inventoried by the appellant was not disclosed in the Real Estate Transfer Declaration.

The board of review presented a spreadsheet reiterating the land assessment spreadsheet submitted by the appellant. The board of review noted that it agrees that the appellant's spreadsheet indicates inequity in the subject's land assessment and that a reduction in the subject's land assessment is justified.

Based on this evidence the board of review requested a reduction in the subject's land assessment and no change in the subject's improvement assessment for a total revised assessment of \$22,856.

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 evidence of record warrants a reduction in the subject's assessment.

As an initial matter, the Board finds the evidence supports a reduction in the subject's land assessment to \$2,653, which was requested by the appellant in the residential appeal petition and offered by the board of review with its submission. After revising the subject's land assessment, the subject has a total assessment of \$22,856 which would reflect a market value of \$68,431 or \$67.82 per square foot of living area, including land, when using the 2019 three year average median level of assessment for LaSalle County of 33.40% as determined by the Illinois Department of Revenue.

The appellant based this appeal on a recent sale of the subject property in July 2018 for a price of \$49,000. To document the transaction the appellant submitted a copy of the settlement statement. The board of review provided a copy of the Real Estate Transfer Declaration associated with the transaction that disclosed the property was not advertised for sale, but also that the sale was not between related individuals, was not a transfer of less than 100 percent interest, and was not a

court-ordered sale, sale in lieu of foreclosure, condemnation, short sale, bank REO, or auction sale. The parties agreed that the subject property had previously been listed for sale with a realtor but was not listed at the time of the appellant's purchase.

Even though the subject property may not have been advertised, the evidence in this record indicates the subject's sale transaction was a voluntary sale, where the seller was ready, willing, and able to sell but not compelled to do so, and the buyer, the appellant, was apparently ready, willing and able to buy but not forced to do so. The board of review did not establish otherwise as to either the seller or the buyer. Furthermore, the Board finds that the exclusion of the inventoried personal property from the Real Estate Transfer Declaration alone does not render the sale price less reflective of market value.

On this record, the Board finds the best evidence of market value is the appellant's purchase of the subject property for \$49,000, which is below the subject's market value of \$68,431 as reflected by its assessment, as revised above. Therefore, the Board finds that the subject property had a market value of \$49,000 as of January 1, 2019. Because market value has been determined, the 2019 three-year average median level of assessment for LaSalle 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: June 21, 2022



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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