



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

APPELLANT: Midland States Bank
DOCKET NO.: 19-09363.001-C-3
PARCEL NO.: 03-11-016-044

The parties of record before the Property Tax Appeal Board are Midland States Bank, the appellant, by attorney Ellen G. Berkshire of Verros Berkshire, PC, in Chicago; and the Effingham 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 **Effingham** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$ 72,530
IMPR.: \$2,927,170
TOTAL: \$2,999,700

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Effingham 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 an owner occupied, Class B four story office building of reinforced concrete, masonry, steel and glass construction. The building has 66,246 square feet of building area and was built in 2011. Features include sprinkled fire protection, central heating and cooling served by boiler system and condenser units, two restrooms per floor, two elevators, a 13,260 square foot partial basement improved with a cooled server room, mechanical rooms, a fitness center and dual locker rooms, and parking for 221 vehicles. The improvements are situated on a 4.69-acre site. The subject property is located in Douglas Township, Effingham County.

The appellant in this appeal submitted an appraisal to demonstrate that the subject property was overvalued. The appraiser developed the three traditional approaches to value. Under the cost approach to value, the appraiser estimated the subject property had a market value of

\$11,300,000. Under the sales comparison approach to value, the appraiser estimated the subject property had a market value of \$8,900,000. Under the income approach to value, the appraiser estimated the subject property had a market value of \$8,800,000. The appraiser reconciled the three approaches to value placing primary consideration to the sales and income approaches to value with supporting consideration to the cost approach to value in arriving at an opinion of value for the subject property of \$9,000,000 as of January 1, 2019.

The appellant also submitted the final decision issued by the Effingham County Board of Review disclosing the subject property's total assessment of \$3,766,290. The subject's assessment reflects an estimated market value of \$11,327,719 when applying Effingham County's 2019 three-year average median level of assessment of 33.25%. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review did not submit its "Board of Review Notes on Appeal" or 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. 86 Ill.Admin.Code §1910.40(a). Therefore, the board of review was found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board. 86 Ill.Admin.Code §1910.69(a).

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 appellant submitted an appraisal of the subject property in support of the contention that the subject property was overvalued. The appraiser developed the three traditional approaches to value in arriving at an opinion of value for the subject property of \$9,000,000 as of January 1, 2019. The board of review did not submit any evidence in support of its assessment of the subject property or refute the evidence submitted by the appellant as required by section 1910.40(a) of the rules of the Property Tax Appeal Board. 86 Ill.Admin.Code §1910.40(a). Therefore, the board of review was found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board. 86 Ill.Admin.Code §1910.69(a).

The Board finds the appellant submitted the only evidence of value in this record estimating the subject property had a market value of \$9,000,000 as of January 1, 2019. The subject's assessment of \$3,766,290 reflects an estimated market value of \$11,327,719, considerably greater than the appraisal submitted by the appellant. The Board has examined the appraisal submitted by the appellant and finds that it supports a reduction in the assessed valuation of the subject property commensurate with the appellant's assessment request.

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:

May 17, 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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COUNTY

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