



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

APPELLANT: 1st Property Investments, LLC  
DOCKET NO.: 20-00893.001-R-1  
PARCEL NO.: 11-13-304-009

The parties of record before the Property Tax Appeal Board are 1st Property Investments, LLC, the appellant, by attorney James E. Tuneberg of Guyer & Enichen in Rockford; and the Winnebago County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **no change** in the assessment of the property as established by the **Winnebago** County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$2,376  
**IMPR.:** \$22,309  
**TOTAL:** \$24,685

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Winnebago County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2020 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 two-story "Colonial" style dwelling of aluminum and vinyl siding exterior construction with 1,491 square feet of living area. The dwelling was constructed in 1934. Features of the home include an unfinished full basement, central air conditioning, a fireplace and a 220 square foot garage. The property has a site with 3,000 square feet or approximately .07 of an acre of land area and is located in Rockford, Rockford Township, Winnebago County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted a gid analysis of the subject and three comparable sales, along with the Multiple Listing Service (MLS) listing sheets for each comparable sale. The comparables are located within .2 of a from the subject property, two of which have the same assessment neighborhood code as the subject. The comparables have sites that range in size from .08 to .17

of an acre of land area and are improved with two-story “Dutch Colonial” or “Colonial” style dwellings of frame or aluminum and vinyl siding exterior construction ranging in size from 1,320 to 1,584 square feet of living area. The dwellings were built from 1920 to 1945. The comparables each have a full basement, one of which has finished area. Each comparable has central air conditioning and a garage ranging in size from 162 to 240 square feet of building area. Two comparables each have one fireplace. The comparables sold from July 2017 to May 2020 for prices ranging from \$29,900 to \$75,000 or from \$22.65 to \$47.35 per square foot of living area, including land.

The MLS listing sheets provided by the appellant disclosed the appellant’s comparable #1 has a recorded shared garage agreement and the property was being sold “as is” with no FHA/VA financing; the appellant’s comparable #2 has a shared driveway and garage with recorded easement; and appellant’s comparable #3 stated that “with a little TLC can be restored to its original beauty.”

Based on this evidence, the appellant requested the subject’s assessment be reduced to \$17,395, which would reflect a market value of \$52,190 or \$35.00 per square foot of living area, including land, when using 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 \$24,685. The subject's assessment reflects a market value of \$74,062 or \$49.67 per square foot of living area, land included, when using the 2020 three-year average median level of assessment for Winnebago County of 33.33% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment, the board of review submitted information on five comparable sales with the same assessment neighborhood code as the subject. The comparables have sites that range in size from 4,500 to 7,100 square feet of land area. The comparables are improved with two-story “Old Style” dwellings of stucco, brick, or aluminum and vinyl siding exterior construction ranging in size from 1,416 to 1,800 square feet of living area. The dwellings were built from 1903 to 1926. The comparables each have a full basement, two of which have finished area. Each comparable has central air conditioning and a garage ranging in size from 280 to 483 square feet of building area. The comparables sold from May 2018 to July 2020 for prices ranging from \$80,000 to \$109,900 or from \$51.28 to \$68.64 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject’s assessment.

In written rebuttal, counsel for the appellant critiqued the comparables presented by the board of review. Counsel also included MLS listing sheets for the board of review comparables.

### **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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains a total of eight suggested comparable sales for the Board's consideration. The Board has given reduced weight to the appellant's comparable #1 as it appears to be an outlier due to its much lower sale price of \$29,900 in relation to the other comparable sales in the record. The Board has given less weight to appellant's comparable #2 and board of review comparables #1 and #2 due to their sale dates occurring from 15 to 29 months prior to the January 1, 2020 assessment date at issue. The Board has also given less weight to board of review comparable #5 due to its larger dwelling size when compared to the subject.

The Board finds the best evidence of market value to be the appellant's comparable #3, along with board of review comparables #3 and #4. The Board finds these three comparables sold more proximate in time to the assessment date at issue are relatively similar to the subject in location, dwelling size and features. The comparables sold from August 2019 to July 2020 for prices ranging from \$60,000 to \$109,000 or from \$44.64 to \$68.64 per square foot of living area, including land. The subject's assessment reflects a market value of \$74,062 or \$49.67 per square foot of living area, including land, which falls within the range established by the best comparable sales in the record. Based on this record and after considering adjustments to the comparables for differences from the subject, the Board finds no reduction in the subject's estimated market value as reflected by its assessment 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: September 20, 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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