



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

APPELLANT: Jeffrey & Sarah Essig  
DOCKET NO.: 20-05361.001-R-1  
PARCEL NO.: 05-16-226-003

The parties of record before the Property Tax Appeal Board are Jeffrey & Sarah Essig, the appellants, and the Boone 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 **Boone** County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$19,604  
**IMPR.:** \$92,220  
**TOTAL:** \$111,824

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellants timely filed the appeal from a decision of the Boone 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 one-story ranch-style single-family dwelling of brick and vinyl siding exterior construction with 2,085 square feet of living area. The dwelling was constructed in 2014. Features of the home include a full walkout-style basement with finished area, central air conditioning, a fireplace and a three-car garage. The property has a 2-acre site and is located in Belvidere, Belvidere Township, Boone County.

The appellants contend both overvaluation and lack of assessment equity concerning the improvement assessment as the bases of the appeal.

As to the overvaluation argument, the appellants submitted an appraisal prepared by Brad Fidler, a Certified Residential Real Estate Appraiser, prepared for a refinance transaction using fee simple rights which, based upon both the cost and sales comparison approaches to value, set forth that the subject property had an estimated market value of \$305,000 as of July 8, 2019.

The appraiser described the subject dwelling to be in acceptable condition and consistent with a well-maintained, five-year-old dwelling at the time of the report. The owner reported that the basement was finished in 2017 and no other significant remodeling or renovation has taken place.

Under the cost approach, Fidler estimated the subject had a site value of \$60,000. The appraiser estimated the replacement cost new of the improvements to be \$374,028. Fidler next estimated physical depreciation to be \$26,182 resulting in a depreciated improvement value of \$347,846. No amount was applied for site improvements. Adding the various components, Fidler set forth that the subject property had an estimated market value of \$407,800 under the cost approach to value.

Using the sales comparison approach, Fidler considered six improved comparable properties, five of which sold and one of which was a listing. Five of the comparables are located in Belvidere and one of is located in Rockford. Fidler stated in the report that, "All sales are from competing areas of Boone County and are considered to be the most recent relevant sales available." The properties are situated from .28 of a mile to 3.04-miles from the subject property. The comparable properties have sites that range in size from .89 to 1.94-acres of land area. The subject and each comparable have a similar view. Each parcel is improved with a one-story dwelling of brick and vinyl siding exterior construction. The homes range in age from new construction to 18 years old and range in dwelling size from 1,833 to 2,574 square feet of living area. Each dwelling has a basement, one of which has finished area and one of which is a walkout-style. Features of the homes include central air conditioning, a fireplace and a three-car garage.

Next, the appraiser applied adjustments to the comparables for differences when compared to the subject. Within the Addendum to the report, the appraiser detailed the bases for the various adjustments that were applied to the comparable sales/listing. Adjustments were made for condition to the two new construction dwellings and adjustments were applied for differences in dwelling size exceeding 200 square feet, basement type and basement finish differences along with other outdoor amenities. Through this process, Fidler set forth adjusted sales/listing prices ranging from \$282,400 to \$322,400. As part of the appraisal, he reported that all comparables were given equal consideration in arriving at his opinion of value under the sales comparison approach to value of \$305,000.

In reconciliation, Fidler noted that the final opinion of value is closely supported by the sales approach with the cost approach setting the upper limit of value.

The appellants also contend that the subject improvement has been inequitably assessed. The appellants completed Section V of the Residential Appeal Petition with data on three comparable properties located from close proximity to 1.2-miles from the subject. The comparables consist of one-story dwellings of brick and vinyl siding exterior construction. The homes range in age from 10 to 15 years old and range in dwelling size from 2,070 to 2,360 square feet of living area. Comparable #1 is reported to have a finished basement whereas the other two comparables are unfinished. Each dwelling has central air conditioning, a fireplace and a three-car garage. Comparable #3 also has an inground swimming pool. The comparables reportedly have

improvement assessments ranging from \$80,774 to \$89,575 or from \$37.96 to \$39.02 per square foot of living area.

Based on the foregoing evidence, the appellants requested a reduced total assessment of \$103,700 which would reflect a market value of approximately \$311,113, land included, when applying the statutory level of assessment of 33.33%. As part of the request, the appellants sought a reduced improvement assessment of \$84,096 or \$40.33 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$111,824. The subject's assessment reflects a market value of \$335,606 or \$160.96 per square foot of living area, land included, when using the 2020 three year average median level of assessment for Boone County of 33.32% as determined by the Illinois Department of Revenue. The subject has an improvement assessment of \$92,220 or \$44.23 per square foot of living area.

In response to the appellants' evidence, the board of review contended that only one of the appellants' equity comparables is located within the same subdivision as the subject. Furthermore, the board of review contend that appellants' equity comparable #2 has a 2020 improvement assessment of \$91,281 or \$38.68 per square foot of living area.

As to the appellants' appraisal report, the board of review claims, despite the electronic official record maintained by the Property Tax Appeal Board, that the appraisal did not include hand-numbered page 10 which has appraisal sales #4, #5 and #6 that were utilized by the appraiser. The Board finds this must be an error in the retention/review of the record by the board of review as all documents in the possession of the Board were electronically provided to the board of review upon notification including disputed page 10 both upon initial notification and again with the letter issued on August 12, 2021. Next, the board of review criticized the appraiser's use of homes located outside of the subject's immediate neighborhood when there were adequate sales within the subdivision which it argued indicates that no reduction is warranted.

In support of its contention of the correct assessment, the board of review submitted information on four comparable properties with both sales and equity data. The comparable are each located in the same subdivision as the subject property. The parcels range in size from 1.02 to 1.75-acres of land area which are each improved with a one-story dwelling of brick or stone with vinyl siding exterior construction. The dwellings were built between 2014 and 2018 and range in size from 1,924 to 2,232 square feet of living area. Each dwelling has a full basement with finished area, central air conditioning, one or two fireplaces and a garage ranging in size from 720 to 942 square feet of building area. The comparables sold from June 2017 to May 2019 for prices ranging from \$348,080 to \$473,005 or from \$160.04 to \$211.92 per square foot of living area, including land. These comparables have improvement assessments ranging from \$108,722 to \$142,127 or from \$49.99 to \$63.68 per square foot of living area.

Also, as to the equity argument, the board of review relies upon a spreadsheet of all one-story homes in the subject's subdivision. Besides the subject, there are 12 properties on the list, including the four set forth in the grid analysis. These 12 homes were built between 2008 and 2019 and range in size from 1,864 to 2,462 square feet of living area. Eleven comparables have finished basement area and two comparables have finished attics. These properties have

improvement assessments ranging from \$91,281 to \$142,127 or from \$46.15 to \$63.68 per square foot of living area.

Based on this evidence and argument, the board of review requested confirmation of the subject's assessment.

### **Conclusion of Law**

The appellants contend in part that 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted on grounds of overvaluation.

The appellants provided an appraisal of the subject property containing five sales and a listing whereas the board of review provided four sales located within the subject's subdivision to support their respective positions before the Property Tax Appeal Board.

The Board has given reduced weight to the appellants' appraisal value conclusion as the Board finds the appraisal is not a credible or reliable indicator of the subject's estimated market value as of July 2019 given that the appraiser relied upon four of six sales/listing data that were located more than a mile distant from the subject property. In this regard, the Board finds that the criticism of the board of review has merit. As a result of this determination, the Property Tax Appeal Board will examine the raw sales and listing data contained in the record and presented by both parties.

The Board has given reduced weight to appraisal sales #1, #2, #3 and #5 which are located most distant from the subject property. The Board has given reduced weight to board of review sales #1 and #3 which each sold in 2017, dates more remote in time to the valuation date at issue of January 1, 2020 and are thus less likely to be indicative of the subject's estimated market value as of the relevant date.

The Board finds the best evidence of market value in the record to be the appellants' appraisal sale #4 and appraisal listing #6 along with the board of review comparable sales #2 and #4 which are located closest in proximity to the subject and sold/were offered closest to the valuation date at issue in this matter. These comparables sold or were listed for prices ranging from \$254,900 to \$437,005 or from \$106.92 to \$211.92 per square foot of living area, including land. The subject's assessment reflects a market value of \$335,606 or \$160.96 per square foot of living area, including land, which is within the range established by the best comparable sales and listing data in the record. After examining this data and considering adjustments to the best comparables for differences, the Board finds a reduction in the subject's assessment is not justified on grounds of overvaluation.

In the alternative, the taxpayers contend assessment inequity as a basis of the appeal concerning the improvement. When unequal treatment in the assessment process is the basis of the appeal,

the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellants did not meet this burden of proof and a reduction in the subject's improvement assessment is not warranted.

The parties submitted a total of seven detailed equity comparables to support their respective positions before the Property Tax Appeal Board. The Board has given little consideration to the spreadsheet of eight additional equity comparables presented by the board of review as this data lacks the necessary detail and characteristics to enable to the Property Tax Appeal Board to engage in a meaningful analysis of the comparability of these properties to the subject dwelling.

The Board finds the best evidence in the record of assessment equity consists of the appellants' comparables #1, #2 and #3 along with board of review comparables #1 through #4 set forth in their respective grid analyses. These seven comparables have improvement assessments that range from \$80,774 to \$142,127 or from \$38.50 to \$63.68 per square foot of living area. The subject's improvement assessment of \$92,220 or \$44.23 per square foot of living area falls within the range established by the best comparables in this record. Based on this record and after considering appropriate adjustments to the best comparables in the record when compared to the subject, the Board finds the appellants did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is not justified on inequity grounds.

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:

November 22, 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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