



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

APPELLANT: Miranda P. Theiss
DOCKET NO.: 20-06459.001-R-1
PARCEL NO.: 05-05-351-014

The parties of record before the Property Tax Appeal Board are Miranda P. Theiss, the appellant, by attorney James A. Rodriguez, of Guyer & Enichen in Rockford; 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: \$42,666
IMPR.: \$105,616
TOTAL: \$148,282

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant 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 2-story dwelling of siding exterior construction with 2,749 square feet of living area. The dwelling was constructed in 2016. Features of the home include a basement, central air conditioning, and a 1,085 square foot garage. The property has a 3.44 acre site and is located in Belvidere, Belvidere Township, Boone 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 0.50 of a mile to 2.1 miles from the subject. The parcels range in size from 0.90 of an acre to 1.66 acres of land area and are improved with 2-story homes of siding exterior construction ranging in size from 2,440 to 2,772 square feet of living area. The dwellings were built from 1989 to 2000. Each home has a basement with finished area, central air conditioning, one or three fireplaces, and a garage ranging in size from 576 to 1,248 square feet of building area. Comparable #1 has a basketball

court and comparable #2 has an inground swimming pool. The comparables sold from June 2019 to March 2020 for prices ranging from \$264,000 to \$390,000 or from \$95.53 to \$146.95 per square foot of living area, including land. Based on this evidence the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$148,282. The subject's assessment reflects a market value of \$445,024 or \$161.89 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.

In support of its contention of the correct assessment the board of review submitted information on nine comparable sales, together with a grid analysis of the appellant's comparables and a map depicting the locations of the board of review's comparables in relation to the subject. The parcels range in size from 0.919 of an acre to 1.8 acres of land area and are improved with 2-story homes of vinyl siding and brick exterior construction ranging in size from 2,359 to 3,308 square feet of living area. The dwellings were built from 1995 to 2007. Each home has a basement with finished area, central air conditioning, one to three fireplaces, and a garage ranging in size from 352 to 994 square feet of building area. Two comparables each have an inground swimming pool. The comparables sold from August 2017 to July 2020 for prices ranging from \$335,000 to \$537,500 or from \$115.71 to \$146.95 per square foot of living area, including land.

The board of review submitted a brief contending that the subject is located in a small subdivision of ten homes, five of which are 2-story homes. The board of review asserted the subject is the newest home in the subdivision which has a median age of 2003. The board of review argued the appellant's comparables #1 and #3 are not located in comparable subdivisions and the appellant's comparable #2 is superior to the subject in quality and amenities. Based on this evidence the board of review requested the subject's assessment be sustained.

In written rebuttal, the appellant argued the board of review's comparables differ from the subject in basement finish and other amenities. The appellant presented listing sheets for several of these sales, arguing the listing sheets provide more accurate dwelling sizes.

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 twelve comparable sales for the Board's consideration. The Board gives less weight to the board of review's comparables #1, #4, #5, #7, and #8, which sold less proximate in time to the assessment date than other comparables in this record. The Board gives less weight to the board of review's comparables #3, #4, #5, and #9, due to substantial

differences from the subject in dwelling size and/or inground swimming pool amenity. The Board gives less weight to the appellant's comparables #1 and #2, which have either a basketball court or an inground swimming pool unlike the subject, and the appellant's comparable #3 which is a substantially older home than the subject.

The Board finds the best evidence of market value to be the board of review's comparables #2 and #6, which are more similar to the subject in dwelling size and features and sold more proximate to the assessment date, although these comparables have finished basement area unlike the subject, are older homes than the subject, and have much smaller lots and garages than the subject, suggesting adjustments to these comparables would be needed to make them more equivalent to the subject. These two comparables sold for prices of \$394,000 and \$400,000 or for \$119.16 and \$120.31 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$445,024 or \$161.89 per square foot of living area, including land, which is above the two best comparable sales in this record. Given the subject's newer age, larger site, and larger garage when compared to the best comparables, a higher overall market value appears to be supported. Based on this limited record, the Board finds a reduction in the subject's assessment is not justified.

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 16, 2023



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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