



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

APPELLANT: Jumbo Realty Investment LLC  
DOCKET NO.: 20-07173.001-R-1  
PARCEL NO.: 08-23.0-401-028

The parties of record before the Property Tax Appeal Board are Jumbo Realty Investment LLC, the appellant, by attorney Kara LeChien, of The Law Offices of LeChien & Waltrip, P.C. in Belleville; and the St. Clair 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 **St. Clair** County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$6,202  
**IMPR.:** \$21,290  
**TOTAL:** \$27,492

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the St. Clair 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 1-story dwelling of brick exterior construction with 1,483 square feet of living area.<sup>1</sup> The dwelling was constructed in 1951, is approximately 69 years old, and has an effective age of 1995. Features of the home include a concrete slab foundation, central air conditioning, and a fireplace.<sup>2</sup> The property has an 11,138 square foot site and is located in Belleville, St. Clair Township, St. Clair County.

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<sup>1</sup> The parties differ slightly regarding the subject's dwelling size. Both parties presented a sketch with measurements of the subject home. The Board finds the best evidence of dwelling size to be the appellant's appraisal, which contains more precise measurements of the subject home than the subject's property record card presented by the board of review, which contains rounded measurements.

<sup>2</sup> The Board notes that the grid analysis presented by the board of review describes the subject as having a 273 square foot garage, however, the sketch contained in the subject's property record card presented by the board of review shows this 273 square foot area was converted to living area and photographs of the subject presented by the board of review do not depict any garage. Thus, the Board finds the subject does not have a garage.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$50,000 as of December 11, 2020. The appraisal was prepared by Martha Ellis, a certified residential real estate appraiser, for ad valorem tax purposes.

Under the sales comparison approach, the appraiser selected three comparable sales located within 0.51 of a mile from the subject. The parcels range in size from 11,884 to 15,552 square feet of land area and are improved with 1-story homes of frame exterior construction ranging in size from 1,390 to 1,946 square feet of living area. The dwellings are 53 or 65 years old. Each home has a concrete slab foundation and central air conditioning. Two homes have a 2-car garage. The comparables sold from January to July 2020 for prices ranging from \$56,700 to \$70,000 or from \$29.14 to \$50.36 per square foot of living area, including land. The appraiser made adjustments to the comparables for differences from the subject, such as room count, dwelling size, garage amenity, and other improvements, to arrive at adjusted sale prices ranging from \$46,255 to \$71,000. Based on the foregoing, the appraiser opined a market value for the subject of \$50,000 as of December 11, 2020.

Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the appraised value conclusion.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$27,492. The subject's assessment reflects a market value of \$84,409 or \$56.92 per square foot of living area, land included, when using the 2020 three year average median level of assessment for St. Clair County of 32.57% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales located three blocks from the subject. The comparables each have a 9,583 square foot site that is improved with a 1-story home of frame or frame and brick exterior construction ranging in size from 1,551 to 1,844 square feet of living area. The dwellings were built in 1972. Each home has a concrete slab foundation, central air conditioning, a fireplace, and a garage ranging in size from 400 to 500 square feet of building area. The comparables sold from September 2018 to May 2020 for prices ranging from \$110,000 to \$146,775 or from \$59.65 to \$90.99 per square foot of living area, including land.

The board of review submitted a brief contending that appraisal sales #2 and #3 are "unqualified" sales. The board of review submitted property record cards and Real Estate Transfer Declarations for the appraisal sales. The Real Estate Transfer Declaration for appraisal sale #2 indicates this property was advertised for sale, the sale was not between related parties, and the property transferred by an Administrator's Deed. The Real Estate Transfer Declaration for appraisal sale #3 indicates this property was advertised for sale, the sale was not between related parties, and the sale was an REO sale.

Based on this evidence, the board of review requested the subject's assessment be sustained.

### **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 appellant submitted an appraisal and the board of review submitted three comparable sales in support of their respective positions before the Board.

The Board gives less weight to the value conclusion contained in the appraisal submitted by the appellant. The appraiser selected comparables that are similar to the subject in location, site size, and features; however, two comparables are significantly newer homes than the subject but the appraiser made no adjustments to these comparables for age. The appraiser made only a small adjustments for dwelling size to appraisal sale #2, but the appraiser selected appraisal sale #3, which had the most adjustments, as the most similar comparable. Appraisal sale #2 had an adjusted sale price of \$71,000 whereas appraisal sale #3 had an adjusted sale price of \$46,255. The appraiser placed the most weight on appraisal sale #3 in opining a market value of \$50,000 for the subject. Moreover, the appraiser stated the appraisal was prepared for ad valorem tax purpose but the appraisal states a market value as of December 11, 2020 rather than the January 1, 2020 assessment date. Based on the foregoing, the Board finds the appraisal states a less credible and/or reliable opinion of value and the Board will instead examine the raw sales presented in the appraisal and by the board of review.

As an initial matter, the Board finds the board of review has not demonstrated that appraisal sales #2 and #3 were not arm's length sales. "Illinois law requires that all real property be valued at its fair cash value, estimated at the price it would bring at a fair voluntary sale where the owner is ready, willing, and able to sell but not compelled to do so, and the buyer is likewise ready, willing, and able to buy, but is not forced to do so. Bd. of Educ. v. Ill. Prop. Tax Appeal Bd., 2011 IL App (2d) 100068, P36, 961 N.E.2d 794, 801, 356 Ill. Dec. 405, 412 (citing Chrysler Corp. v. State Property Tax Appeal Bd., 69 Ill. App. 3d 207, 211, 387 N.E.2d 351, 355, 25 Ill. Dec. 695, 699 (2d Dist. 1979)). The Real Estate Transfer Declarations for appraisal sales #2 and #3 disclosed they were advertised for sale and were not sales between related parties. The mere fact that appraisal sale #2 transferred by an Administrator's Deed and the appraisal sale #3 was a bank REO sale, without further evidence of the circumstances of these sales, does not demonstrate these sales were not arm's length transactions. Accordingly, in the absence of other evidence, the Board will consider appraisal sales #2 and #3 on this record.

The record contains a total of six comparable sales for the Board's consideration. The Board gives less weight to appraisal sale #3 and the board of review's comparable #1, due to substantial differences from the subject in dwelling size. Moreover, the board of review's comparable #1 sold less proximate in time to the assessment date than other comparables in this record.

The Board finds the best evidence of market value to be appraisal sales #1 and #2 and the board of review's comparables #2 and #3, which are similar to the subject in dwelling size, site size,

location, and some features, although three of these comparables are newer homes than the subject and have garages unlike the subject, suggesting downward adjustments to these comparables would be needed to make them more equivalent to the subject. These most similar comparables sold for prices ranging from \$65,500 to \$146,775 or from \$39.32 to \$90.99 per square foot of living area, including land. The subject's assessment reflects a market value of \$84,409 or \$56.92 per square foot of living area, including land, which is within the range established by the best comparable sales in the record. Based on this evidence and after considering appropriate adjustments to the best comparables for differences when compared to the subject, 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.



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Chairman



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Member



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Member

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Member



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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 27, 2023



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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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