



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

APPELLANT: Kevin Smith
DOCKET NO.: 20-07479.001-R-1
PARCEL NO.: 18-13-26-329-003

The parties of record before the Property Tax Appeal Board are Kevin Smith, the appellant; and the Stephenson 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 **Stephenson** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$1
IMPR.: \$34,596
TOTAL: \$34,597

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Stephenson 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 condominium unit of brick and frame exterior construction with 1,264 square feet of living area. The dwelling was constructed in 1979. Features of the home include a basement with finished area, central air conditioning, a fireplace, and a 506 square foot garage. The property is located in Freeport, Freeport Township, Stephenson County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased in May, 2017 for a price of \$78,500 or \$62.10 per square foot of living area, including land. The appellant completed Section IV – Recent Sale Data of the appeal petition disclosing the sale was not a transfer between related parties, that the property sold through a realtor and was advertised for sale on the Multiple Listing Service for 4 months, and that the sale was not sold due to foreclosure or by contract for deed.

The appellant also presented one comparable sale located next door to the subject property. This comparable is a 1-story condominium unit built in 1979 with 1,227 square feet of living area. The home has a basement with finished area, central air conditioning, a fireplace, and a 506 square foot garage. This comparable sold in April 2019 for a price of \$75,000 or \$61.12 per square foot of living area, including land.

Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$34,597. The subject's assessment reflects a market value of \$103,460 or \$81.85 per square foot of living area, land included, when using the 2020 three year average median level of assessment for Stephenson County of 33.44% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales and two listings, together with property record cards and Real Estate Transfer Declaration (PTAX-203 form) for these comparables and a map depicting the locations of these comparables in relation to the subject. The comparables are located within 0.60 of a mile from the subject and are improved with 1-story condominium units of frame or siding exterior construction ranging in size from 1,122 to 1,416 square feet of living area. The homes were built from 1981 to 1990. Each home has a basement, five of which have finished area and two of which are walkout basements. Each home also features central air conditioning and a garage ranging in size from 440 to 506 square feet of building area. One home has a fireplace. Four comparables sold from September 2018 to May 2020 for prices ranging from \$94,000 to \$128,000 or from \$76.73 to \$128,000 per square foot of living area, including land. Two comparables are listed for sale for prices of \$139,900 and \$179,900.

The board of review also submitted Real Estate Transfer Declarations (PTAX-203 forms) for the May 2017 sale of the subject property and for the April 2019 sale of the appellant's comparable #1, which disclosed the appellant's comparable #1 was not advertised for sale and was a sale between related persons.

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 record contains evidence of a May 2017 sale of the subject property, five comparable sales, and two listings. The Board gives less weight to the May 2017 sale of the subject property,

which occurred less proximate in time to the January 1, 2020 assessment date than the comparable sales in this record. The Board gives less weight to the appellant's comparable #1, which was not advertised for sale and sold to a related person, and to the board of review's two listings, which have not sold and are less likely to be indicative of market value as of the assessment date. The Board also gives less weight to the board of review's comparable #2, which sold less proximate in time to the assessment date than other comparables in this record.

The Board finds the best evidence of market value in the record to be the board of review's comparables #1, #3, and #4, which are relatively similar to the subject in dwelling size, location, and some features, and sold proximate in time to the assessment date at issue. However, these properties are newer homes than the subject dwelling and one property lacks finished basement area which is a feature of the subject, suggesting that adjustments to these comparables would be needed to make them more similar to the subject. The comparables sold from January 2019 to May 2020 for prices ranging from \$94,000 to \$128,000 or from \$76.73 to \$111.41 per square foot of living area, including land. The subject's assessment reflects a market value of \$103,460 or \$81.85 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Based on this record and after considering appropriate adjustments to the best comparables for differences when compared to the subject, such as dwelling size, age, and basement finish, the Board finds the subject's assessment is reflective of market value and 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:

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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