



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

APPELLANT: Danny Lorden, Progressive Development
DOCKET NO.: 21-05357.001-R-1
PARCEL NO.: 11-26-129-007

The parties of record before the Property Tax Appeal Board are Danny Lorden, Progressive Development, the appellant, by Jessica Hill-Magiera, Attorney at Law in Lake Zurich; 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: \$1,448
IMPR.: \$11,212
TOTAL: \$12,660

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 2021 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 aluminum/vinyl siding exterior construction with 1,580 square feet of living area. The dwelling was constructed in 1900. Features of the home include a basement, central air conditioning, and a 770 square foot garage. The property is located in Rockford, Rockford Township, Winnebago County.

The appellant contends assessment inequity regarding the improvement assessment as the basis of the appeal. In support of this argument the appellant submitted information on eight equity comparables located within the same assessment neighborhood code as the subject. The comparables are improved with 1.5-story or 2-story homes of aluminum/vinyl siding, asbestos siding, or insulated brick/stone exterior construction ranging in size from 1,548 to 1,728 square feet of living area. The dwellings were built in 1900. Each home has a basement, central air conditioning, and a garage ranging in size from 352 to 900 square feet of building area. The

comparables have improvement assessments ranging from \$7,603 to \$10,253 or from \$4.67 to \$5.94 per square foot of living area. Based on this evidence the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$12,660. The subject property has an improvement assessment of \$11,212 or \$8.98 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on five equity comparables located within the same assessment neighborhood code as the subject, together with a map depicting the locations of the comparables in relation to the subject. Comparable #2 is the same property as the appellant's comparable #5. The comparables are improved with 1.5-story or 2-story homes of aluminum/vinyl siding, asbestos siding, or insulated brick/stone exterior construction ranging in size from 1,620 to 1,728 square feet of living area. The dwellings were built in 1900 or 1915. Each home has a basement and central air conditioning. One comparable has a 360 square foot garage. The comparables have improvement assessments ranging from \$7,533 to \$9,412 or from \$4.65 to \$5.45 per square foot of living area.¹

The board of review submitted a brief contending that the subject home was built in 1900, but the subject's detached garage was built in 2000. The board of review argued the appellant's comparables are similar to the subject but lack a larger and newer garage like the subject. Based on this evidence the board of review requested confirmation of the subject's assessment.

In written rebuttal, the appellant argued both the appellant's comparables and the board of review's comparables support a reduction in the subject's improvement assessment.

Conclusion of Law

The appellant contends assessment inequity as the basis of the appeal. 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 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 equity comparables for the Board's consideration. The Board gives less weight to the board of review's comparables #1, #3, #4, and #5, which each lack a garage that is a feature of the subject. The Board also gives less weight to the appellant's comparable #5/board of review's comparable #2 and the appellant's comparable #6, which have much smaller garages than the subject.

¹ The board of review did not submit the total improvement assessments for these comparables, only their per square foot improvement assessments, from which the Board has calculated their total improvement assessments.

The Board finds the best evidence of assessment equity to be the appellant's comparables #1, #2, #3, #4, #7 and #8, which are more similar to the subject in dwelling size, age, location, and features. These comparables have improvement assessments that range from \$7,603 to \$10,253 or from \$4.67 to \$5.94 per square foot of living area. The subject's improvement assessment of \$11,212 or \$8.98 per square foot of living area falls above the range established by the best comparables in this record, but appears to be justified given the subject's garage size and age compared to the best comparables. Based on this record and after considering appropriate adjustments to the best comparables for differences when compared to the subject, the Board finds the appellant 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.

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:

July 18, 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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