



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

APPELLANT: James Hey
DOCKET NO.: 21-06283.001-R-1
PARCEL NO.: 16-07-02-476-013

The parties of record before the Property Tax Appeal Board are James Hey, the appellant; and the Lee County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **A Reduction** in the assessment of the property as established by the Lee County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$8,873
IMPR.: \$91,127
TOTAL: \$100,000

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Lee 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 brick exterior construction with 3,647 square feet of living area. The dwelling was constructed in 1993 and is approximately 28 years old. Features of the home include a basement, central air conditioning, a fireplace, and a 1,073 square foot garage. The property has a 38,558 square foot site and is located in Dixon, Palmyra Township, Lee County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on February 26, 2021 for a price of \$282,000. The appellant disclosed in the appeal petition that the subject property was sold through a realtor and was advertised for sale through the multiple listing service for 18 months. The appellant also disclosed the sale was not between related parties and was not sold due to foreclosure or by contract for deed.

The appellant also submitted information regarding four comparables. However, the appellant did not submit any sales data for comparable #1; consequently, this comparable shall not be further considered herein. The remaining three comparables are located from 1.5 to 2.4 miles from the subject. These parcels range in size from 20,909 to 157,252 square feet of land area and are improved with 2-story homes of vinyl siding or stucco and vinyl siding exterior construction¹ ranging in size from 2,716 to 4,136 square feet of living area. The dwellings range in age from approximately 23 to 110 years old.² Each home is reported to have a basement with finished area and two homes have central air conditioning. Two homes each have one or two fireplaces. Comparable #2 has a 732 square foot garage and comparable #3 has three garages ranging in size from 288 to 708 square feet of building area. Comparable #3 also has a 1,500 square foot playhouse, a 2,000 square foot Quonset, a grain bin, a silo and a storage shed. The comparables sold in March and April 2021 for prices ranging from \$307,000 to \$335,000 or from \$78.58 to \$123.34 per square foot of living area, including land.

The appellant further submitted an appraisal opining a market value for the subject property of \$282,000 as of April 9, 2021. The appraisal was prepared by Garrett Netz, a certified residential real estate appraiser, for ad valorem tax purposes. The appraiser developed only the sales comparison approach; however, no comparable sales are presented in the appraisal.

Based on this evidence, the appellant requested a reduction in the subject's assessment to \$100,000 which would reflect a market value of \$300,030 or \$82.27 per square foot of living area, including land, when applying the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$116,584. The subject's assessment reflects a market value of \$349,158 or \$95.74 per square foot of living area, land included, when using the 2021 three year average median level of assessment for Lee County of 33.39% 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, together with a grid analysis of the appellant's comparables. The board of review's comparables are located in Dixon or Sterling. The parcels range in size from 22,216 to 102,802 square feet of land area and are improved with 1-story or 2-story homes of brick, frame, or vinyl siding exterior construction ranging in size from 3,085 to 3,727 square feet of living area. The dwellings were built from 1978 to 2002. Each home has a basement with finished area, central air conditioning, and a fireplace. Three homes each have a garage ranging in size from 528 to 929 square feet of building area. Comparable #1 has an inground swimming pool. The comparables sold from June to December 2021 for prices ranging from \$315,000 to \$399,175 or from \$87.77 to \$128.04 per square foot of living area, including land.

The board of review also submitted a brief contending the appellant's appraisal is incomplete, together with a copy of the complete appraisal which was presented for consideration at the

¹ Additional details regarding these comparables not reported by the appellant are found in the grid analysis of these comparables presented by the board of review.

² The Board notes the parties differ regarding comparable #3's age. The Board finds the age discrepancy will not affect the Board's analysis.

board of review hearing. The board of review argued the appellant's comparables are not similar to the subject in exterior construction, age, quality/condition, and/or location. The board of review reported comparable #4 was a sale of a partial interest from which the appellant estimated a sale price for the entire property.

The board of review further argued in its brief that the February 2021 sale of the subject did not reflect its fair cash value because the subject property was vacant when it sold and the subject property sold after several reductions in the listing price. The board of review submitted a Real Estate Transfer Tax Declaration for the sale indicating the subject was advertised for sale and was not a sale between related parties, a listing price history for the subject, and voter registration information regarding the seller indicating the seller was registered to vote in a different county in September 2019.

Based on this evidence the board of review requested confirmation of the subject's assessment

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The record contains evidence of a recent sale of the subject property, seven comparable sales, and an appraisal for the Board's consideration. The Board gives less weight to the appellant's appraisal as a recent appraisal is not a basis of this appeal and the appellant submitted an incomplete appraisal report.

The Board finds the best evidence of market value to be the purchase of the subject property in February 2021 for a price of \$282,000. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, the property was sold using a realtor, the property had been advertised on the open market through the Multiple Listing Service, and it had been on the market for 18 months. The Board find the February 2021 occurred proximate in time to the assessment date at issue and had the elements of an arm's length transaction.

The Board gives less weight to the appellant's comparables and the board of review's comparables, due to substantial differences from the subject in dwelling size, design, basement finish, and/or age. Moreover, the board of review's comparable #1 has an inground swimming pool unlike the subject and the appellant's comparable #3 has significant other site improvements, including three garages, unlike the subject.

The Board finds the purchase price is below the market value reflected by the assessment. Although the board of review asserted the listing price had been reduced and the subject property

was vacant when sold, these circumstances do not affect the arm's length nature of the transaction. The Board finds the board of review did not refute the contention that the purchase price was reflective of market value. Based on this record the Board finds a reduction in the subject's assessment commensurate with the appellant's requested is 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

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: January 17, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

James Hey
1732 Valley View Dr
Dixon, IL 61021

COUNTY

Lee County Board of Review
Lee County Courthouse
112 E. Second Street
Dixon, IL 61021