



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

APPELLANT: Shore Water Properties
DOCKET NO.: 21-06311.001-R-1
PARCEL NO.: 11-14-110-010

The parties of record before the Property Tax Appeal Board are Shore Water Properties, the appellant, by attorney James E. Tuneberg, of Guyer & Enichen in Rockford, and the Winnebago 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 **Winnebago** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$3,036
IMPR.: \$14,098
TOTAL: \$17,134

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 is improved with a two-story “old-style” dwelling with an aluminum or vinyl siding exterior containing 1,734 square feet of living area. The dwelling was constructed in 1900. Features of the home include a full basement and central air conditioning. The property has a 7,515 square foot site in Rockford, Rockford Township, Winnebago County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on seven comparable sales improved with 1.5-story and 2-story “old style” dwellings of aluminum/vinyl or masonry/frame exterior construction that range in size from 1,420 to 1,949 square feet of living area.¹ The homes were built from 1900 to 1935. Each comparable has a full basement with four having finished area, five comparables have

¹ Appellant’s comparables #1 and #2 are the same property that sold twice, the first sale occurring in November 2019 for a price of \$51,000 and the second sale occurring in June 2021 for a price of \$50,000.

central air conditioning, four comparables have one fireplace, and four comparables have a detached garage ranging in size from 160 to 460 square feet of building area. These properties have sites ranging in size from 4,982 to 8,202 square feet of land area. The comparables are located from approximately .4 to .8 of a mile from the subject property with five having the same assessment neighborhood code as the subject property. The sales occurred from August 2018 to June 2021 for prices ranging from \$30,000 to \$55,000 or from \$19.18 to \$30.38 per square foot of living area including land. The appellant requested the subject's total assessment be reduced to \$17,134. To document the sales the appellant submitted copies of the Multiple Listing Service listing sheets associated with each transaction.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$21,940. The subject's assessment reflects a market value of \$65,827 or \$37.96 per square foot of living area, land included, when using the 2021 three-year average median level of assessment for Winnebago County of 33.33% as determined by the Illinois Department of Revenue.

In rebuttal the board of review stated that two of the appellant's comparables are from a different neighborhood.

In support of its contention of the correct assessment the board of review submitted information on five comparable sales identified by the township assessor. The comparables are improved with two-story dwellings further described as being colonial or Dutch colonial design. The homes range in size from 1,550 to 1,946 square feet of living area and were built from 1920 to 1950. The dwellings have aluminum/vinyl, masonry and frame, or stucco exteriors. Each comparable has central air conditioning and a full basement with three having recreation rooms ranging in size from 120 to 514 square feet. Four of the comparables have one fireplace. Comparable #1 has an attached garage with 228 square feet of building area and a detached garage with 484 square feet of building area. Comparables #2 through #5 have either an attached or detached garage ranging in size from 220 to 480 square feet of building area. The comparables have sites ranging in size from 4,428 to 7,500 square feet of land area and each has the same assessment neighborhood code as the subject property. The sales occurred from December 2018 to December 2020 for prices ranging from \$75,000 to \$92,000 or from \$40.08 to \$59.35 per square foot of living area, including land.

In rebuttal the appellant the appellant asserted that its comparables #6 and #7, although they have a different assessment neighborhood code than the subject, they are with .4 and .6 miles of the subject and within the same neighborhood and proximity to the subject property. The appellant's counsel also submitted comments critiquing the board of review comparables and submitted copies of the Multiple Listing Service (MLS) listings sheets for each property. The MLS descriptions disclosed that board of review comparables #3 and #5 also have small finished basement areas.

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 Board finds the best evidence of market value to be the comparable sales submitted by the appellant as these sales are improved with homes that are more similar to the subject in age and style than are the comparables submitted by the board of review. The appellant's comparables have varying degrees of similarity to the subject in features in that four comparables have finished basement area, four comparables have one fireplace, and four comparables have a garage, all features the subject property does not have suggesting downward adjustments would be appropriate to make the comparables more equivalent to the subject. Conversely, two of the appellant's comparables have no central air conditioning while the subject property has central air conditioning indicating that an upward or a positive adjustment would be appropriate for each these comparables for this amenity. These most similar comparables sold for prices ranging from \$30,000 to \$55,000 or from \$19.18 to \$30.38 per square foot of living area, including land. The subject's assessment reflects a market value of \$65,827 or \$37.96 per square foot of living area, including land, which is above the range established by the best comparable sales in this record. Based on this evidence the Board finds a reduction in the subject's assessment commensurate with the appellant's request 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



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 16, 2024



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

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