



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

APPELLANT: Walid & Angie Chamma
DOCKET NO.: 21-06579.001-R-1
PARCEL NO.: 17-05.0-404-008

The parties of record before the Property Tax Appeal Board are Walid & Angie Chamma, the appellants; 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: \$35,859
IMPR.: \$114,152
TOTAL: \$150,011

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 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 and vinyl exterior construction with 3,242 square feet of living area.¹ The dwelling was constructed in 2005 and is approximately 17 years old. Features of the home include a basement with finished area, central air conditioning, one fireplace and a 1,040 square foot 3-car garage. The property has a 7.65-acre or 333,234 square foot site and is located in Smithton, Prairie Du Long Township, St. Clair County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted an appraisal estimating the subject property had a market value of \$347,000 as of March 29, 2022. The appraisal was prepared by Tina Radick, a Certified Residential Real Estate Appraiser. The exterior only report was prepared in support of a market value estimate

¹ The Board finds the best description of the subject dwelling size was found in its property record card, submitted by the board of review, which included a sketch with measurements and was not refuted by the appellants.

for tax appeal purposes. The appraiser commented that “80-85%” of the subject’s site is within Federal Emergency Management Agency (FEMA) Flood Zone AE which could have a negative impact on marketability of the subject. The appraiser opined the subject had an effective age of 8 years old, with no supporting documentation or commentary.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value selecting three comparable sales located from 0.51 of a mile to 1.17 miles from the subject property. The appraiser stated all of the comparable sales are located in the subject’s immediate market and same school district. The comparables have sites that range in size from 1.04-acres to 5.38-acres of land area and are improved with dwellings that range in size from 2,344 to 3,018 square feet of living area.² The homes range in age from 17 to 38 years old and each is further depicted to have an effective age of 8 years old. Two comparables have a basement with finished area. Each comparable has a 2-car garage and one or two lake amenities. The comparables sold from June to October 2021 for prices ranging from \$260,000 to \$389,900 or from \$90.88 to \$166.34 per square foot of living area, land included.

The appraiser adjusted the comparables for differences with the subject in site size, age, condition, room count, dwelling size, basement area and lake amenities arriving at adjusted sale prices for the comparables ranging from \$265,096 to \$398,553 and an opinion of market value for the subject of \$347,000.

The appellants also submitted a spreadsheet with 2020 and 2021 fair market values for 30 parcels in the subject’s Tall Timbers Subdivision. The data depicts the subject’s fair market value increased 25.16% from 2020 to 2021, which reflects the highest percentage increase of all the parcels in the spreadsheet. Based on this evidence, the appellants requested the subject’s assessment be reduced to \$113,400 which reflects a market value of \$340,234 or \$104.95 per square foot of living area, land included 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 \$150,011. The subject's assessment reflects a market value of \$449,269 or \$138.58 per square foot of living area, land included, when using the 2021 three-year average median level of assessment for St. Clair County of 33.39% as determined by the Illinois Department of Revenue.

The board of review submitted property record cards for each of the appraisal comparables. The Board finds the parties disagree as to the site size and dwelling size for two of the three appraisal comparables, relative to information in the respective property record cards. For example, with respect to dwelling size, appraisal comparables #1 and #3 are reported to have 2,861 and 3,018 square feet of living area, respectively, while the property record cards for these comparables report dwelling sizes of 1,858 and 2,344 square feet of living area, respectively. Logically, these dwelling size differences affect the per square foot sale price calculations. Using dwelling sizes

² For clarification, when analyzing and discussing the appraisal report for this appeal, the Board shall report information as submitted in the appraisal and not as reported in property record cards submitted by the board of review. This is done because the appraiser relied on the appraisal grid information when determining any adjustments to the comparables and ultimately the estimated opinion of value for the subject property.

reported in the property record cards would reflect per square foot sale prices for appraisal comparables #1 and #3 of \$139.94 and \$159.98, respectively, as opposed to \$90.88 and \$124.25 as set forth in the appraisal report, respectively. Without any rebuttal to dispute this data, the Board finds information contained in the property record cards to be the best descriptive evidence, rather than data presented in the appellants' appraisal grid which lacks documentary support.

In response to the appellants' appraisal evidence, the board of review argued each of the appraisal comparables were located in a different subdivision than the subject property, that the appraisal comparables are either 1-story or 1½-story dwellings, as compared to the subject's 2-story dwelling, and that appraisal comparable #1 was an unqualified sale. In support of these arguments, the board of review submitted copies of the property record cards and PTAX-203 Real Estate Transfer Declarations for each of the appraisal comparables.

In support of its contention of the correct assessment the board of review submitted property record cards on five comparables³ located in the same subdivision as the subject property. The comparables have sites that range in size from 23,958 to 108,029 square feet of land area and are improved with 1-story dwellings of brick or brick and frame exterior construction that range in size from 2,171 to 3,084 square feet of living area. The homes were built from 2004 to 2007. Each comparable has a basement with finished area, central air conditioning, one or two fireplaces and a garage ranging in size from 720 to 1,381 square feet of building area. The comparables sold from February to December 2020 for prices ranging from \$300,000 to \$499,000 or from \$123.22 to \$214.81 per square foot of living area, land included. Based on this evidence the board of review requested the subject's assessment be confirmed.

Conclusion of Law

The appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

As an initial matter, the Board gave no weight to the argument raised by the appellants concerning the subject's increased fair market value based on assessment from 2020 to 2021. The Board finds rising or falling assessments, from assessment year to assessment year, on a percentage basis do not indicate whether a particular property is inequitably assessed. The Board finds assessors and boards of review are required by the Property Tax Code to revise and correct real property assessments to reflect fair market value, maintain uniformity of assessments and are fair and just. This may result in many properties having increased or decreased assessments from year to year of varying amounts and percentages depending on prevailing market conditions, prior year assessments and the salient characteristics of a given property. Moreover, this appeal was based solely on overvaluation.

³ Information on a fifth comparable property was submitted in a property record card but not included in the board of review's grid analysis; despite this, the Board has included this property in the analysis.

The appellants submitted an appraisal and the board of review submitted five comparable sales for the Board's consideration.

As to the opinion of value for the subject property contained in the appellants' appraisal, the Board finds the appraiser relied on the site size and dwelling size information in the appraisal to support adjustments to the comparable properties. In some cases, this information differed substantially from site size and dwelling size data found in the respective property record cards for the comparable properties. Therefore, the Board finds the appraiser's opinion of market value for the subject lacks credibility given these substantial discrepancies in data. As a result, less weight is given to the opinion of value for the subject as presented in the appraisal. The Board shall, however, consider the raw appraisal comparable sales using information from their respective property record cards.

Therefore, this record contains a total of eight comparable sales for the Board's consideration. The Board finds both parties' comparables differ from the subject in design, dwelling size, site size and other features when compared to the subject. Nevertheless, the Board gives less weight to the appraisal comparables. More specifically, comparable #1 appears to be an outlier based on its sale price and per square foot sale price relative to other comparables in the record; comparable #2 is older in age when compared to the subject; and comparable #3 lacks a basement foundation like the subject. The Board also gives less weight to board of review comparables #1, #2 and #3 each of which have substantially smaller dwelling sizes when compared to the subject's dwelling size.

The Board finds the best evidence of market value to be board of review comparables #4 and #5 which, on this record, are more similar to the subject in location, age, dwelling size and some other features when compared to the subject. These two best comparables sold in February and December 2020 for prices of \$380,000 and \$469,900 or for \$123.22 and \$174.49 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$449,269 or \$138.58 per square foot of living area, including land, which is bracketed by the two best comparable sales in the record. After considering adjustments to the two best comparables for differences with the subject, the Board finds the subject's assessment is justified and a reduction is not warranted.

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:

April 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

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