



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

APPELLANT: Meagan McKay  
DOCKET NO.: 21-06859.001-R-1  
PARCEL NO.: 19-2-08-22-09-102-017

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

**LAND:** \$4,480  
**IMPR.:** \$27,540  
**TOTAL:** \$32,020

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Madison 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 after notice of application of a township equalization factor. The Property Tax Appeal Board finds that it has limited jurisdiction over the parties and the subject matter of the appeal.

**Findings of Fact**

The subject property consists of a one-story dwelling of brick exterior construction with 1,066 square feet of living area. The dwelling was constructed in 1961 and is approximately 60 years old and was reported to have been remodeled in 1975. Features of the home include an unfinished basement, central air conditioning, one full bathroom and a 315 square foot garage. The property has an approximately 9,000 square foot site and is located in Wood River, Wood River Township, Madison County.

The appellant contends overvaluation and assessment inequity with respect to both the land and improvement assessments as the bases of the appeal.

In support of the overvaluation argument the appellant submitted evidence disclosing the subject property was purchased on February 26, 2018 for a price of \$46,000. The appellant completed

Section IV – Recent Sale Data disclosing the transaction was not between family members or related corporations, that the subject was sold with help from a Realtor, that the subject property was advertised in the Multiple Listing Service (MLS) for a period of three weeks and that \$10,000 was spent on renovations prior to the property being occupied. The appellant also submitted copies of the PTAX-203 Real Estate Transfer Declaration and the subject's MLS sheet. The PTAX-203 disclosed the subject property was transferred via Special Warranty Deed from seller Goshen Real Estate, LLC-1. The MLS sheet reported the subject had a list price of \$49,900 as of February 2018.

In further support of the overvaluation argument the appellant submitted information on five comparable sales located from 250 feet to 0.30 of a mile from the subject property. The comparables have sites that range in size from 7,500 to 22,313 square feet of land area and are improved with a one-story or a split-level dwelling ranging in size from 1,036 to 1,720 square feet of living area. The homes were built from 1950 to 1974. Four comparables have a basement, one with finished area, and one comparable has a crawl space foundation.<sup>1</sup> Each dwelling has central air conditioning, and one home has a fireplace. Four comparables each have a garage ranging in size from 260 to 418 square feet of building area and one comparable has a 672 square foot carport. The properties sold from September 2018 to February 2020 for prices ranging from \$57,500 to \$95,000 or from \$41.07 to \$76.74 per square foot of living area, land included.

The appellant also contends assessment inequity as an additional basis of the appeal. With respect to the land inequity argument, the appellant submitted information on eight equity comparables located in the same neighborhood code as the subject property. The comparables have sites that range in size from 7,500 to 22,313 square feet of land area. The comparables have land assessments that range from \$2,740 to \$6,570 or from \$0.19 to \$0.48 per square foot of living area. With regard to the improvement inequity argument, the appellant submitted the same five comparables as was used for its overvaluation argument, which are described above. The comparables have improvement assessments ranging from \$21,740 to \$29,090 or from \$12.85 and \$21.60 per square foot of living area.

Based on this evidence, the appellant requested the subject's total assessment be reduced to \$20,426. The requested assessment reflects a total market value of \$61,284 or \$57.49 per square foot of living area, land included, when applying the statutory level of assessment of 33.33%. The request would lower the subject's improvement assessment to \$18,122 or \$17.00 per square foot of living area and the land assessment to \$2,340 or \$0.26 per square foot of land area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject, after equalization, of \$32,190. The subject's assessment reflects a market value of \$96,609 or \$90.63 per square foot of living area including land when applying the Madison County 2021 three-year average median level of assessment of 33.32% as determined by the Illinois Department of Revenue. The subject property has a land assessment of \$4,650 or \$0.52 per square foot of land area and an improvement assessment of \$27,540 or \$25.83 per square foot of living area. The board of review notes also disclosed an equalization

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<sup>1</sup> Some property details for the appellant's comparables were amended or corrected with information found in the property record cards submitted by the appellant.

factor of 1.0383 was issued in Wood River Township for the 2021 tax year and that the appellant did not file a complaint before the board of review.

In support of its contention of the correct assessment on market value grounds, the board of review submitted information on four comparable sales located either next door or across the street from the subject property. The comparables are improved with one-story dwellings of brick exterior construction that range in size from 988 to 1,212 square feet of living area and range in age from 56 to 62 years old. Each comparable has an unfinished basement and central air conditioning. Three comparables have a garage ranging in size from 242 to 322 square feet of building area and one comparable has a 160 square foot carport. The properties sold from July to November 2020 for prices ranging from \$118,000 to \$122,500 or from \$97.36 to \$121.36 per square foot of living area, land included.

On equity grounds, the board of review submitted information on four equity comparables located either next door or across the street from the subject property. The comparables are improved with one-story dwellings of brick exterior construction that range in size from 988 to 1,250 square feet of living area. The homes are either 61 or 62 years old. Each comparable has an unfinished basement and central air conditioning. Three comparables have a garage ranging in size from 242 to 400 square feet of building area and one comparable has a 338 square foot carport. The comparables have improvement assessments ranging from \$28,100 to \$35,500 or from \$24.74 to \$30.33 per square foot of living area and land assessments of either \$3,100 or \$3,480.<sup>2</sup> Based on this evidence, the board of review requested the subject's assessment be confirmed.

In rebuttal, the appellant critiqued the board of review's comparable sales arguing comparables #1 and #2 each are "completely updated" and comparable sales #1, #2 and #3 have finished basement area. With respect to the board of review's equity comparables, the appellant argued comparables #2 and #3 have finished basement area. The appellant also requested that "recent sales be rejected as evidence altogether" because the sale prices reflect a "pandemic-induced real estate bubble" which the appellant contends is not an accurate representation of current market conditions.

### **Conclusion of Law**

The appellant contends, in part, 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.

As an initial matter, the Board notes that market conditions for home sales change overtime, values can increase or decrease, typically, in response to supply and demand factors. The fact

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<sup>2</sup> The board of review's submission failed to include lot sizes for its comparable properties. As a result, the Board is not able to determine land assessments on a per square foot of land area basis.

that home values increased during 2020 and 2021 reflect actual market conditions, therefore, the Board finds that recent sales of comparable properties are appropriate to consideration for the appellant's overvaluation claim. Selecting older sales, in lieu of recent sales, as suggested by the appellant, would be less reflective of actual market conditions and therefore market value.

The parties submitted evidence of a recent sale of the subject property and a total of nine comparable sales for the Board's consideration. The Board gives less weight to the sale of the subject property as well as each of the appellant's comparables which differ from the subject in design, dwelling size, age and/or sold in 2018 or 2019 less proximate in time to the January 1, 2021 assessment date at issue.

The Board finds the best evidence of market value to be the board of review comparables which are more similar to the subject in location, age, design, style and other features, although, some of these properties may be superior to the subject in updating and/or finished basement.<sup>3</sup> These comparables sold from July to November 2020 for prices ranging from \$118,000 to \$122,500 or from \$97.36 to \$121.36 per square foot of living area, land included. The subject's assessment reflects a market value of \$96,609 or \$90.63 per square foot of living area, including land, which falls below the range established by the best comparable sales in this record. After considering adjustments to the comparables for differences when compared to the subject, the Board finds a reduction in the subject's assessment, based on overvaluation is not justified.

The taxpayer also contends assessment inequity as an alternative 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 met this burden of proof and a reduction in the subject's land assessment, based on inequity is warranted.

With respect to the inequity argument for the subject's land assessment, the Board finds the best comparables for land assessment are the eight comparables submitted by the appellant. The Board gives less weight to the appellant's comparables #2 and #5 thru #8 which are substantially larger in site size when compared to the subject's site size. The Board finds appellant comparables #1, #3 and #4 are more similar in location and site size relative to the subject's site size. These comparables have land assessments of \$3,350 and \$4,180 or from \$0.37 to \$0.48 per square foot of living area. The subject property has a land assessment of \$4,650 or \$0.52 per square foot of land area which falls above the range established by the best land comparables in the record. After considering adjustments to the comparables for differences from the subject, the Board finds a reduction in the subject's land assessment is supported.

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<sup>3</sup> The appellant contended, without documentation, that board of review comparables #1, #2 and #3 were completely updated and/or had finished basement area, which was not disputed by the board of review. The board of review's property record cards for these properties reports each to have an unfinished basement.

With respect to the subject's improvement assessment, the parties submitted nine equity comparables for the Board's consideration.

The Board gives less weight to appellant comparables #1, #2, #4 and #5 which are less similar to the subject in age, design, and/or dwelling size. The Board finds the best evidence of improvement assessment inequity to be appellant comparable #3 along with the board of review comparables which are more similar to the subject in location, age, design, dwelling size and other features. These comparables have improvement assessments that ranged from \$21,740 to \$35,500 or from \$20.98 to \$30.33 per square foot of living area. The subject's improvement assessment of \$27,540 or \$25.83 per square foot of living area falls within the range established by the best comparables in this record. After considering adjustments to the comparables for differences from 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 improvement assessment is not justified.

The Board finds the evidence in this record supports a reduction in the subject's land assessment. However, the record indicates that the appellant did not file a complaint with the board of review but appealed the subject's assessment directly to the Property Tax Appeal Board after notice of the application of an equalization factor. Since the appeal was filed after notification of an equalization factor, the amount of relief that the Property Tax Appeal Board may grant is limited. Section 1910.60(a) of the rules of the Property Tax Appeal Board states in part:

If the taxpayer or owner of property files a petition within 30 days after the postmark date of the written notice of the application of final, adopted township equalization factors, the relief the Property Tax Appeal Board may grant is limited to the amount of the increase caused by the application of the township equalization factor. 86 Ill.Admin.Code §1910.60(a). [Emphasis added]

Additionally, section 16-180 of the Property Tax Code (35 ILCS 200/16-180) provides in pertinent part:

Where no complaint has been made to the board of review of the county where the property is located and the appeal is based solely on the effect of an equalization factor assigned to all property or to a class of property by the board of review, the Property Tax Appeal Board may not grant a reduction in the assessment greater than the amount that was added as the result of the equalization factor. (35 ILCS 200/16-180). [Emphasis added]

These provisions mean that when a taxpayer files an appeal directly to the Property Tax Appeal Board after notice of application of an equalization factor, the Board cannot grant an assessment reduction greater than the amount of increase caused by the equalization factor. Villa Retirement Apartments, Inc. v. Property Tax Appeal Board, 302 Ill.App.3d 745, 753 (4<sup>th</sup> Dist. 1999). Based on a review of the evidence contained in the record, the Property Tax Appeal Board finds a reduction in the land assessment of the subject property is supported. However, the reduction is limited to the increase in the assessment caused by the application of the equalization factor.

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

AGENCY

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