



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

APPELLANT: Rodney Newman  
DOCKET NO.: 21-07076.001-R-1  
PARCEL NO.: 23-2-08-06-12-201-002

The parties of record before the Property Tax Appeal Board are Rodney Newman, 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 **No Change** 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:** \$2,430  
**IMPR.:** \$35,710  
**TOTAL:** \$38,140

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 split-level dwelling of brick exterior construction with 1,459 square feet of above grade living area. The dwelling is approximately 67 years old. Features of the home include a basement with a finished recreation room, central air conditioning, two fireplaces and a 2-car built-in garage. The property has an approximately 7,540 square foot site and is located in Alton, Alton Township, Madison County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$102,000 as of April 4, 2022. The appraisal was prepared by Russel J. Nieters, a Certified Residential Real Estate Appraiser. The intended use of the appraisal was to provide the appellant with an estimated fair market value of the subject property as of the effective date of the appraisal.

The appraiser commented in the Addendum to the Appraisal Report that the age of the subject was estimated since no year built was available in the Alton Tax Assessor records. A list of repair items for the subject was included in the Addendum identifying the garage door, painting, deck surface and duct work to be required repairs should the property be sold with government financing. In estimating the market value of the subject property, the appraiser developed the cost and sales comparison approaches to value.

In developing the cost approach to value, the appraiser opined the subject's site had a value of \$6,500, when using the allocation method, as few sales were reportedly identified by the appraiser. The appraiser utilized the Marshall & Swift cost manual to determine the total replacement cost of the subject improvements, assuming an "Average" quality rating, of \$191,871, physical depreciation was estimated to total \$79,953 and the cost of the "As-Is" value of the site improvements of \$1,500. Adding the land value, replacement costs less depreciation, and site improvements, the appraiser arrived at an indicated value for the subject, under the cost approach of \$119,918.

For the sales comparison approach, the appraiser selected four comparable sales located from 1.43 to 2.70 miles from the subject property. The comparables have sites that range in size from 6,403 to 19,440 square feet of land area and are improved with bi-level dwellings that have vinyl siding exterior construction. The homes range in age from 17 to 41 years old and range in size from 762 to 960 square feet of above grade living area. Each comparable has a basement with finished area and central air conditioning. Three comparables each have either a 1-car or a 2-car garage. The comparables sold from October 2021 to February 2022 for prices of \$85,000 to \$120,000 or from \$88.54 to \$148.15 per square foot of above grade living area, land included.

The Addendum to the Appraisal Report included comments by the appraiser explaining that a search area with a 5-mile radius was utilized to find comparable properties. The appraiser commented that due to limited recent sales of homes similar in design, dwelling size and other features the comparables included in the report were located more distant than preferred and that the appraiser was not able to bracket the subject in dwelling size or age. Nevertheless, the appraiser opined the comparables selected "are reasonably good support and indicators for the estimated fair market value given the subject."

The appraiser adjusted the comparables for differences with the subject in site size, age, condition, basement features, bathroom count and other features, arriving at adjusted sale prices of the comparables ranging from \$89,695 to \$112,315 and an opinion of market value for the subject under the comparable sales approach of \$102,000. The Board notes that the appraiser adjusted differences in dwelling size for comparables #1, #2 and #3 at a rate of \$10.00 and comparable #4 at a rate of \$1.00.

In reconciling the two approaches to value, the appraiser stated that "most weight was given to the sale market comparison" concluding an estimated opinion of market value for the subject of \$102,000.

The evidence further revealed that the appellant did not file a complaint with the board of review for 2021 tax year but filed an appeal directly to the Property Tax Appeal Board following receipt of the notice of an equalization factor. Based on this evidence, the appellant requested the

subject's assessment be reduced to reflect the appraised value of the subject property 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 \$38,140 after equalization. The subject's assessment reflects a market value of \$114,466 or \$78.45 per square foot of above grade living area, land included, when using the 2021 three-year average median level of assessment for Madison County of 33.32% as determined by the Illinois Department of Revenue. The board of review disclosed the appellant had not filed a complaint for the 2021 tax year before the board of review.

In response to the appellant's appraisal evidence, the board of review contended that its April 4, 2022 effective date renders the report inapplicable for a 2021 appeal as this date of valuation is more than 12 months after the January 1, 2021 assessment date at issue. The board of review did not submit any evidence in support of its assessment of the subject property. Based on this evidence, the board of review requested the subject's assessment be confirmed.

### **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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The appellant submitted an appraisal to support its position before this Board while the board of review argued the effective date of value for the subject was too remote in time for a January 1, 2021 assessment date to be given any weight.

The Board finds the appraisal contains a current market value opinion with an effective date of April 4, 2022. A retrospective date of value of January 1, 2021 is expected for an appraisal developed in support of an ad valorem tax argument. Furthermore, the appraisal comparables present varying degrees of similarity to the subject in location, age, and where each comparable is from 34% to 48% smaller in above grade living area when compared to the subject. In addition, appraisal comparable #4 which sold in February 2022, more than 12 months after the assessment date at issue, had an adjustment for dwelling size that appears to be in error which may have resulted in a different opinion of value for the subject property had the \$10.00 per square foot adjustment been made like the other three comparables in the report. As a result, the Board gives little weight to the appraiser's opinion of market value for the subject property.

However, the Board recognizes that the appraisal evidence is the only evidence of market value contained in the record and therefore shall, consider the raw sale data for the comparable properties presented in the appraisal.

The Board gives less weight to the appraisal comparable #2 which is substantially newer in age when compared to the subject and to comparable #4 which sold less proximate to the January 1, 2021 assessment date than other properties in the record. On this limited record, the Board finds

the best evidence of market value to be appraisal comparables #1 and #3 which sold less than 12 months from the January 1, 2021 assessment date and are relatively similar to the subject in age and design. These two best comparables sold in October and December 2021 for prices of \$85,000 and \$120,000 or for \$88.54 and \$148.15 per square foot of above grade living area, including land. The subject's assessment reflects a market value of \$114,466 or \$78.45 per square foot of above grade living area, including land, which is bracketed by the two best comparables on an overall market value basis and falls below the two best comparable sales in the record on a per square foot basis. Accepted real estate theory provides that, all things being equal, as the size of a property increases, the per unit value decreases. In contrast, as the size of a property decreases, the per unit value increases. Therefore, given the subject's larger above grade living area, relative to the two best comparables, a lower per square foot value appears logical. After considering adjustments to the two best comparables for differences from the subject, such as site size, dwelling size and garage capacity, the Board finds 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

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

APPELLANT

Rodney Newman  
2907 Gilbert Ln  
Alton, IL 62002

COUNTY

Madison County Board of Review  
Madison County Admin. Bldg.  
157 North Main St., Suite 222  
Edwardsville, IL 62025