



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

APPELLANT: Hawk Properties, Inc
DOCKET NO.: 23-03382.001-R-1
PARCEL NO.: 08-030-019-00

The parties of record before the Property Tax Appeal Board are Hawk Properties, Inc, the appellant, by attorney Doug Stewart, of Stewart Law Group in Fairview Heights; and the Logan 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 **Logan** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$11,150
IMPR.: \$12,848
TOTAL: \$23,998

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Logan County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2023 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 two dwellings.¹ One dwelling is a 1-story home of wood siding exterior construction with 832 square feet of living area that was built in 1930 and features a basement. The second dwelling is a 1-story home of frame exterior construction with 588 square feet of living area that was built in 1930 and features a crawl space foundation. The subject property also has a 400 square foot garage. The property has a 21,344 square foot site and is located in Lincoln, East Lincoln Township, Logan County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales located from 1.3 to 15.9 miles from the subject. The parcels range in size from 8,544 to 20,200 square feet of land area and are

¹ The Board finds the best description of the subject's improvements is found in its property record card presented by the board of review, which was not refuted by the appellant.

improved with 1.5-story or 2-story homes of frame exterior construction ranging in size from 1,633 to 3,078 square feet of living area. The dwellings were built from 1853 to 1897. The comparables sold from November 2020 to September 2022 for prices ranging from \$17,850 to \$20,000 or from \$6.50 to \$10.96 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$23,998. The subject's assessment reflects a market value of \$72,001 or \$50.70 per square foot of combined living area, land included, when using the statutory level of assessment of 33.33%.²

In support of its contention of the correct assessment the board of review submitted information on four comparable sales located from 0.5 of a mile to 2.1 miles from the subject. The comparables have 9,960 or 12,196 square foot sites that are each improved with two dwellings. The dwellings are 1-story, 1.5-story, or 2-story homes of aluminum, vinyl, or wood exterior construction ranging in size from 504 to 2,248 square feet of living area, with combined living area ranging from 1,698 to 2,752 square feet. The dwellings were built from 1872 to 1904. Four homes each have a basement and one home has central air conditioning. Each comparable has a garage ranging in size from 220 to 648 square feet of building area. The comparables sold from November 2008 to December 2023 for prices ranging from \$65,000 to \$175,000 or from \$33.27 to \$63.59 per square foot of combined living area, including land.

The board of review submitted a brief contending the appellant's comparables are older homes than the subject, the appellant's comparable #2 was a REO sale, and the appellant's comparable #3 sold by contract for deed as demonstrated by a copy of an Agreement for Deed that was presented. The board of review asserted its comparables are all improved with two homes like the subject. Based on this evidence, the board of review requested the subject's assessment be sustained.

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. Adm. 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. Adm. 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 record contains a total of seven comparable sales for the Board's consideration. The Board gives less weight to the appellant's comparable #1, which has substantially larger living area than the combined area of the subject's two dwellings, and to the appellant's comparable #3, which is located more than 15 miles from the subject and sold by contract for deed. The Board

² Section 1910.50(c)(1) of the Board's procedural rules provides that in all counties other than Cook, the three-year county wide assessment level as certified by the Department of Revenue will be considered. 86 Ill. Adm. Code § 1910.50(c)(1). As of the development of this Final Administrative Decision, the Department of Revenue has not published figures for tax year 2023.

gives less weight to the board of review's comparables #2, #3, and #4, which sold less proximate in time to the assessment date than the other sales in this record and are less likely to be indicative of market value as of that date.

The Board finds the best evidence of market value to be the appellant's comparable #2 and the board of review's comparable #1, which sold more proximate in time to the assessment date and are relatively similar to the subject in total living area, location, and some features, although these comparables significantly older homes and are dissimilar 2-story homes compared to the subject, one comparable has a smaller site than the subject, and one comparable lacks a garage and a basement that are features of the subject, suggesting adjustments to these comparables would be needed to make them more equivalent to the subject. The two most similar comparables sold for prices of \$17,850 and \$100,000 or \$10.73 and \$47.87 per square foot of living area, including land. The subject's assessment reflects a market value of \$72,001 or \$50.70 per square foot of living area, including land, which is bracketed by the two best comparable sales in terms of total market value and is above the best comparables on a per square foot basis, which is logical given the subject has smaller combined living area than the best comparables and has newer homes than the best comparables.

The Board notes the principle of the economies of scale which generally provides that if all other things are 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. Based on this evidence and after considering appropriate adjustments to the best comparables for differences from the subject, 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: _____

November 19, 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

AGENCY

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

APPELLANT

Hawk Properties, Inc, by attorney:
Doug Stewart
Stewart Law Group
955 Lincoln Highway
Suite 102
Fairview Heights, IL 62208

COUNTY

Logan County Board of Review
Dr. John Logan County Building
122 North McLean Street
Lincoln, IL 62656