



FINAL ADMINISTRATIVE DECISION ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Jack Vukov
DOCKET NO.: 23-04046.001-R-1
PARCEL NO.: 21-02-301-008

The parties of record before the Property Tax Appeal Board are Jack Vukov, the appellant, and the Rock Island 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 **Rock Island** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$8,097
IMPR.: \$77,305
TOTAL: \$85,402

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Rock Island 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 consists of a one-story “ranch-style” single-family dwelling of brick exterior construction containing 3,623 square feet of living area. The dwelling was constructed in 1976 and is approximately 47 years old. Features of the home include a concrete slab foundation, 3 full bathrooms, central air conditioning, one fireplace, an attached three-car garage containing 1,388 square feet of building area and an inground swimming pool. The property has a 1.11-acre site and is located in Illinois City, Buffalo Prairie Township, Rock Island County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted a brief along with information on four comparable sales in the Section V grid analysis of the Residential Appeal petition¹ along with supporting documentation, including property record cards. Two of the comparables are located in the same neighborhood code as the

¹ As in accordance with Standing Order #2, the Property Tax Appeal Board mandates use of the board’s form for appeal, thus references identifying appellant’s comparables relies upon the Sec. V grid analysis.

subject property. In the brief, the appellant contends the chosen comparables sold from 2020 to 2022, are similarly designed homes and built from 1976 to 1978. The appellant also asserts these properties are within close proximity to the subject, with comparable #3 located in the subject's subdivision. The comparables are situated from .2 of a mile to 12.4-miles from the subject.

The parcels range in size from .52 of an acre to 1.42-acres of land area, each of which is improved with a one-story or "ranch-style" dwelling of frame, brick and frame or wood siding and frame exterior construction. The dwellings are either 45 or 46 years old. The dwellings range in size from 1,212 to 1,968 square feet of living area.² Each comparable has a full or partial basement with finished area and 2 to 5 full bathrooms. Features include central air conditioning and a garage ranging in size from 484 to 824 square feet of building area. Two comparables each have a fireplace. Comparables #2 and #3 each have an inground swimming pool and "were sold with additional lots"; it appears from the documentation the appellant accounted for the additional lot in reporting the land area of these comparables. Finally, the appellant argues that comparable #2 is the most similar property to the subject. The comparables sold from August 2020 to December 2022 for prices ranging from \$96,500 to \$213,000 or from \$77.82 to \$133.79 per square foot of living area, including land.

Based on this evidence, the appellant requested a reduced total assessment of \$85,402 which would reflect a market value of \$256,232 or \$70.72 per square foot of living area, including land, when using the statutory level of assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$102,147. The subject's assessment reflects a market value of \$306,472 or \$84.59 per square foot of living area, land included, when using the statutory level of assessment 33.33%.³

In support of its contention of the correct assessment, the board of review submitted a memorandum along with information on three comparable sales, where board of review comparable #1 is the same property as appellant's comparable #2. The comparables are in Illinois City and situated from 1.87 to 4.9-miles from the subject. The parcels range in size from 1 to 1.42-acres of land area, each of which is improved with a one-story or "ranch-style" dwelling of frame or frame and wood siding exterior construction. The dwellings range in age from 50 to 71 years old. The dwellings range in size from 1,421 to 1,968 square feet of living area. Each comparable has a full or partial basement and 2 or 3 full bathrooms. Features include central air conditioning and a garage ranging in size from 484 to 658 square feet of building area. None of these homes has a fireplace. Comparable #1 has an inground swimming pool. The comparables sold from December 2022 to August 2023 for prices ranging from \$185,000 to \$219,900 or from \$99.09 to \$154.75 per square foot of living area, including land.

² Upon examination of the property record cards, the Board finds the appellant included both above-grade and below-grade finished areas in calculating the living area which is an error. Appellant's comparables #2 and #4 as shown in the respective property record cards contain 1,968 and 1,240 square feet of above-grade living area, respectively.

³ Procedural rule Sec. 1910.50(c)(1) 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.Admin.Code Sec. 1910.50(c)(1). Prior to the issuance of this decision, the Department of Revenue has yet to publish Table 3 with the figures for tax year 2023.

In the memorandum, the board of review noted the subject is located on a cul-de-sac and a level lot. The board of review also noted that the subject dwelling's size, exterior construction and fireplace are superior to the comparables but inferior to the comparables as the subject lacks a basement foundation. "The subject is unique because it is a slab home and the assessor could not find a comparable slab sale in Buffalo Prairie Township." Finally, the board of review contends that the subject's estimated fair market value of \$306,471 or \$84.59 per square foot of living area, including land, is "the lowest sales range" of \$84.59 to \$154.75.

The board of review also raised an argument that the subject property has been equitably assessed as it falls within the range of the three comparables presented by the board of review on a square-foot-of-living-area basis, however, the Board has given this equity assertion no consideration as the appeal is based upon overvaluation.

Based on the foregoing evidence and argument, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant contends that board of review comparables #2 and #3 are dissimilar to the subject property in age and "fixtures/amenities." Appellant also criticizes the living area square footage reported by the board of review, however, the Board refers the appellant to Footnote 2 concerning this issue.

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.

Except in counties with more than 200,000 inhabitants that classify property, property is to be valued at 33 1/3% of fair cash value. (35 ILCS 200/9-145(a)). Fair cash value is defined in the Property Tax Code as "[t]he amount for which a property can be sold in the due course of business and trade, not under duress, between a willing buyer and a willing seller." (35 ILCS 200/1-50). The Illinois Supreme Court has construed "fair cash value" to mean what the property would bring at a voluntary sale where the owner is ready, willing, and able to sell but not compelled to do so, and the buyer is ready, willing, and able to buy but not forced so to do. Springfield Marine Bank v. Property Tax Appeal Board, 44 Ill.2d 428 (1970).

The parties submitted a total of six suggested comparable sales, as one property was common to both parties, in order to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparables #1, #3 and #4, as each of these properties sold in 2020, dates more remote in time to the lien date of January 1, 2023 and thus less likely to be indicative of the subject's market value. Furthermore, the Board has given reduced weight to board of review comparable #3 as this dwelling is 71 years old as compared to the subject that is 47 years old.

The Board finds on this limited record, that the remaining two comparables, including the parties' common property, are the best indicators of the subject's market value in the record, despite that the similarities to the subject are limited primarily to location, parcel size, story height and age, with one property having an inground pool like the subject. The subject dwelling contains 3,623 square feet of living area. Therefore, the Board finds the best two comparable homes are 46% and 56%, respectively, smaller in living area square footage when compared to the subject. The two best comparable homes contain 1,968 and 1,776 square feet of living area, respectively. Each comparable has a full basement, in comparison to the subject's inferior concrete slab foundation. These most similar comparables sold in December 2022 and January 2023 for \$195,000 and \$185,000 or for \$99.09 and \$104.17 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$306,472 or \$84.59 per square foot of living area, including land, which is significantly above the best comparable sales in this record in terms of overall market value but just below the best comparables on a per-square-foot-of-living-area basis. The Board finds 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. After considering adjustments to the best comparables in the record for differences in age, dwelling size, foundation type, fireplace amenity, garage size and/or other features, the Board finds that the subject property is overvalued. Therefore, based on this evidence and after thoroughly examining the record with consideration to the adjustments necessary to the best comparable sales for differences when compared to the subject property, 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: _____

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

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