



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

APPELLANT: Collin A. and Sarah S. Van Meter
DOCKET NO.: 23-04115.001-R-1
PARCEL NO.: 14-1-15-26-01-101-001.003

The parties of record before the Property Tax Appeal Board are Collin A. and Sarah S. Van Meter, the appellants; 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: \$34,510
IMPR.: \$165,470
TOTAL: \$199,980

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 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 two-story dwelling of frame exterior construction with approximately 4,532 square feet of living area.¹ The dwelling was constructed in 1975 and is approximately 38 years old. Features of the home include a partial basement, central air conditioning, a fireplace and a garage with 986 square feet of building area. The property has an approximately 4.05-acre² site and is located in Glen Carbon, Edwardsville Township, Madison County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants completed Section IV – Recent Sale Data of the appeal petition disclosing the subject

¹ The parties differ as to the description of the subject dwelling. The Board finds the best description of the subject dwelling is found in the subject's property record card provided by the board of review, which contained a schematic diagram and dimensions of the subject's improvements, which was unrefuted by the appellants.

² The only description of the subject's site size was provided by the appellants.

property was purchased on September 8, 2023 for a price of \$600,000. The appellants indicated on the appeal that the seller was The Shapiro Family Trust, the sale was not between related parties and the property was sold by a realtor. Additionally, the appellants indicated the property had been listed for sale in the Multiple Listing Service for a period of eleven weeks. To document the transaction, the appellants provided a settlement statement, Trustee's Deed and the PTAX-203 Illinois Real Estate Transfer Declaration. The settlement statement reiterated the sale date and purchase price. The PTAX-203 disclosed the property was advertised for sale.

The appellants submitted a copy of Madison County "Notice of Final Decision on Assessed Value by the Board of Review" disclosing the board of review increased the subject's total assessment from \$193,680 to \$209,520 through the application of a township equalization factor of 1.0818.

Based on this evidence the appellants requested the subject's total assessment be reduced to \$199,980 to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal." As noted previously, the appellant provided a copy of the final equalized assessment of the subject property of \$209,520, which reflects a market value of \$628,623 or \$138.71 per square foot of living area, when applying the statutory level of assessment of 33.33%.³

In response to the appeal, the board of review submitted a copy of the subject's property record card and a letter prepared by Stephanie Pennington, Madison County Board of Review. Pennington stated the appellants based their appeal on a September 18, 2023 [sic] purchase price of \$600,000, and requested the assessed value be reduced to \$199,980. However, because the appellants appealed the multiplier, the only action this board can take is to remove the multiplier. The subject's assessed value before the multiplier is \$193,680, reflecting a market value of \$581,040, which is almost \$20,000 less than the purchase price. Based on this evidence, the board of review does not believe a reduction is warranted.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

As an initial matter, the record indicates that the appellants did not file a complaint with the board of review but appealed the subject's total assessment directly to the Property Tax Appeal Board based on a notice of an equalization factor. Since the appeal was filed after notification of

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.

an equalization factor, the amount of relief that the Board can grant is limited. Section 1910.60(a) of the rules of the 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)).

Additionally, section 16-180 of the Property Tax Code 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 shall 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).

These provisions mean that where a taxpayer files an appeal directly to the 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 Bd., 302 Ill. App. 3d 745, 753, 706 N.E. 2d 76, 82, 235 Ill. Dec. 816, 822 (4th Dist. 1999). Thus, any reduction would be limited to the increase in the assessment caused by the application of the equalization factor.

The appellants completed Section IV – Recent Sale Data of the appeal petition disclosing the subject property was purchased on September 8, 2023 for a price of \$600,000. The Illinois Supreme Court has held that a contemporaneous sale between two parties dealing at arm's length is not only relevant to the question of fair cash value but practically conclusive on the issue on whether the assessment is reflective of market value. Korzen v. Belt Railway Co. of Chicago, 37 Ill.2d 158 (1967). Furthermore, the sale of a property during the tax year in question is a relevant factor in considering the validity of the assessment. Rosewell v. 2626 Lakeview Limited Partnership, 120 Ill.App.3d 369, 375 (1st Dist. 1983).

On this record, the Board finds subject's total equalized assessment reflects a market value of \$628,623, including land, which is greater than the subject's purchase price. Therefore, after reviewing the record and considering the evidence, the Property Tax Appeal Board finds that a reduction in the subject's total assessment commensurate with the appellants' request is supported.

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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