



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

APPELLANT: Christina Wendle
DOCKET NO.: 23-04817.001-R-1
PARCEL NO.: 24-2-01-27-03-301-026

The parties of record before the Property Tax Appeal Board are Christina Wendle, 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: \$13,830
IMPR.: \$96,000
TOTAL: \$109,830

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a notice of equalization issued by 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 part 1-story and part 2-story dwelling of frame exterior construction with 2,386 square feet of living area.¹ The dwelling was constructed in 2001 and is approximately 22 years old. Features of the property include a basement with finished area, central air conditioning, a fireplace, a 462 square foot garage, and an inground swimming pool. The property has an 18,644 square foot site and is located in Godfrey, Godfrey Township, Madison County.

The appellant contends assessment inequity regarding the land and improvement assessments as the basis of the appeal. In support of this argument, the appellant submitted information on seven equity comparables located within the same assessment neighborhood code as the subject.

¹ The parties differ regarding the subject's dwelling size and design. The Board finds the best evidence of these features is found in the subject's property record card presented by the board of review, which includes a sketch with measurements.

The parcels are reported to range in size from 9,319 to 42,081 square feet of land area² and are improved with 1-story, 2-story, or part 1-story and part 2-story homes of masonry and frame exterior construction ranging in size from 1,936 to 2,688 square feet of living area.³ The dwellings range in age from 18 to 27 years old. Each home has a basement, four of which have finished area, central air conditioning, a fireplace, and a garage ranging in size from 462 to 832 square feet of building area. The comparables have land assessments ranging from \$10,120 to \$13,590 or from \$0.31 to \$1.20 per square foot of land area and have improvement assessments ranging from \$69,520 to \$83,720 or from \$30.84 to \$39.95 per square foot of living area. 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 equalized assessment for the subject of \$113,520. The subject property has a land assessment of \$13,830 or \$0.74 per square foot of land area and an improvement assessment of \$99,690 or \$41.78 per square foot of living area. The board of review indicated that the appellant did not file a complaint with the board of review, but filed this appeal directly to the Board following receipt of a notice of an equalization factor of 1.0935 for Godfrey Township which increased the subject's total assessment from \$103,820 to \$113,520. In support of its contention of the correct assessment the board of review submitted information on four equity comparables located within the same assessment neighborhood code as the subject. Comparables #3 and #4 are the same properties as the appellant's comparables #2 and #3, described above. Comparables #1 and #2 have 13,135 or 20,407 square foot sites that are improved with part 1-story and part 2-story homes of frame exterior construction with 3,032 and 3,064 square feet of living area.⁴ The dwellings are 20 or 21 years old. Each home has a basement, one of which has finished area, central air conditioning, one or two fireplaces, and a 622 or a 676 square foot garage. These two comparables have land assessments of \$14,220 and \$14,860 or \$0.70 and \$1.13 per square foot of land area, respectively, and have improvement assessments of \$88,480 and \$99,520 or \$55.65 and \$59.95 per square foot of living area, respectively. Based on this evidence the board of review requested confirmation of the subject's assessment.

In written rebuttal, the appellant submitted a brief contending the board of review's grid analysis contains errors as it includes only the first floor living area of homes with second floor living area.

Conclusion of Law

The taxpayer contends assessment inequity as the 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.Adm.Code §1910.63(e). Proof of unequal

² The appellant reported a site size that is smaller than its 1-story dwelling size for comparable #5, which the Board concludes was an error.

³ The parties differ regarding the features of comparables #2 and #3, which are common comparables. The Board finds the best evidence of their features is found in their property record cards presented by the board of review, which appears to have miscalculated the dwelling sizes in its grid analysis. Information regarding these two common comparables is taken from their property record cards.

⁴ The Board finds the best evidence of the dwelling sizes of these properties is found in their property record cards presented by the board of review, which appears to have miscalculated the dwelling sizes in its grid analysis. Information regarding these comparables is taken from their property record cards.

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.Adm.Code §1910.65(b).

As an initial matter, the record indicates that the appellant 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 an equalization factor, the amount of relief that the Property Tax Appeal 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.Adm.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 Property Tax Appeal 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 record contains a total of nine equity comparables, with two common comparables, for the Board's consideration. With regard to land assessment equity, the Board gives less weight to the appellant's comparable #2/board of review's comparable #3 and the appellant's comparables #4 and #7, due to substantial differences from the subject in site size. The Board finds the best evidence of land assessment equity to be the appellant's comparables #1 and #6, the appellant's comparable #3/board of review's comparable #4, and the board of review's comparables #1 and #2, which are more similar to the subject in site size and location. These comparables have land assessments that range from \$10,120 to \$14,860 or from \$0.71 to \$1.13 per square foot of land area. The subject's land assessment of \$13,830 or \$0.74 per square foot of land area falls within the range established by the best comparables in this record. Based on this record and after considering appropriate adjustments to the best comparables for differences from the subject, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's land was inequitably assessed and a reduction in the subject's land assessment is not justified.

With regard to improvement assessment equity, the Board gives less weight to the appellant's comparable #2/board of review's comparable #3, the appellant's comparable #3/board of review's comparable #4, the appellant's comparable #7, and the board of review's comparables #1 and #2, due to substantial differences from the subject in dwelling size and/or basement finish.

The Board finds the best evidence of assessment equity to be the appellant's comparables #1, #4, #5, and #6, which are more similar to the subject in dwelling size, age, location, and features, although none of these comparables has an inground swimming pool like the subject, suggesting upward adjustments to these comparables would be needed to make them more equivalent to the subject. These comparables have improvement assessments that range from \$76,970 to \$83,720 or from \$31.14 to \$37.33 per square foot of living area. The subject's improvement assessment of \$99,690 or \$41.78 per square foot of living area falls above the range established by the best comparables in this record and is excessive. Based on this record and after considering appropriate adjustments to the best comparables for differences from the subject, such as inground swimming pool amenity, the Board finds the appellant demonstrated with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment 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: _____

January 21, 2025



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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