

MASON COUNTY BOARD OF REVIEW

Rules Governing the Mason County Board of Review

The Illinois Statute creating the Board of Review requires the Board to publish rules governing the day to day activities of such Board while in session, and to inform those citizens who have business with the Board of Review of their responsibilities and obligations. The following procedures are in effect as of the approved date of these documents.

The Board of Review receives and hears complaints by property owners concerning the valuation of property, which has been established by the Supervisor of Assessments or the Township Assessor. The Board deals only with the assessed valuations and not with the tax rate or tax bill. The amount of a tax bill is determined by the total amount levied by the local school districts and other taxing bodies in which your property is located.

The following procedures are published for the information and guidance of persons doing business with the Board of Review. Compliance with these rules will facilitate the orderly dispatch of business before the Board as pursuant to 35 ILCS 200/9-5.

RULE 1 – COMPLAINTS

It is strongly recommended that the taxpayer discuss his/her assessment with the Supervisor of Assessments prior to filing of a complaint with the Board of Review. Many times the reason for the assessment can be made clear, and eliminate the need for filing a complaint. If, after talking with the Supervisor of Assessments, the taxpayer still wishes to pursue a formal complaint, they should familiarize themselves with the rules governing the hearings before the Mason County Board of Review.

Complainants shall submit a current PTAX-230 Non-Farm Property Assessment Complaint Form or PTAX-227 Farm Property Assessment Complaint Form and all attachments provided by the Board. All complaints shall be filed with the Board of Review no later than thirty (30) calendar days after publication. Complaints sent by mail must be received on or before the Board of Review filing deadline.

The Board of Review will not send forms via overnight express, facsimile or any other method. Complaint forms are available at the Supervisor of Assessments Office and/or will be mailed to complainant upon request. Complaint forms and/or evidence will not be accepted by facsimile or email.

RULE 2 – BASIS OF COMPLAINT

A formal complaint may be filed when it appears that 1) the assessor's market value is higher than actual market value; 2) the assessment is higher than those of similar properties; 3) the assessment is based upon inaccurate information; 4) the assessed value is at a higher percentage of market value for the property than the prevailing township or county median levels as shown in an assessment/sales ratio study.

The Mason County Board of Review will process complaints of assessed values on farm residences, farm home sites and farm buildings. The Board does not have the authority to adjust the certified farmland equalized assessed values received annually from the Illinois Department of Revenue as legislated by the Farmland Assessment law passed in 1981.

RULE 3 – TIME FOR FILING COMPLAINT

The owner for each parcel of property must file a separate complaint for each property identification number for which a tax bill is generated. When a complainant states that his/her complaint is only on the land or building(s), he advised the Board of Review holds jurisdiction over the total assessment, not just the part being objected to.

All complaints must be filed with the Board of Review on or before the 31st of July or thirty (30) days after publication of township assessment rolls in the local newspaper, whichever is later.

1. Mailings must be received by the filing date and are considered filed on the date received in the Mason County Assessment Office.
2. Faxed complaints are NOT accepted.
3. Hand deliveries are considered filed on the date received in the Mason County Assessment Office, 125 N. Plum Street, Havana, IL 62644.
4. Supervisor of Assessments office hours are Monday through Friday – 8:00 a.m. until 4:00 p.m.; We are closed Saturday, Sunday and all County Holidays.
5. It is the responsibility of the taxpayer or attorney for the taxpayer to make certain that their mailing is received on the proper date for acceptance.

RULE 4 – PROCEDURES FOR FILING A COMPLAINT

1. All complaints relating to real estate assessment MUST be filed on the form provided by the Board of Review. A separate complaint form must be filed for each property identification number.
2. If a complainant deals with the land and building improvement(s) on one PIN as a separate issue, they are still filed on one complaint form. Even if a taxpayer states that the complaint is only on either land or building improvement(s), the Board of Review will review the entire parcel, not just the objected part.
3. If a complaint deals with a farm site and/or residence on the farm site on one PIN then a complaint form must be filed for each and submitted together.
4. Complaints filed by two separate people on one property will NOT be heard separately.
5. If the property is income producing, the taxpayer must furnish income and expense statements for the prior three (3) years as evidence of value to the Board of Review with the complaint form. Supporting evidence should include the pertinent schedules of taxpayer's federal income tax return. (Either a Schedule E or Schedule 8825)
6. If a taxpayer requests a reduction in assessed valuation of \$100,000 or more, it is required the Board of Review office notify each taxing body affected by the complaint. It is, therefore, **required that taxpayers supply their estimate of correct market value in Step 3, number 9 on the Complaint Form. Complaint Forms without an estimate of correct market value will not be accepted.**
7. All complaints must be signed by the property owner (corporate official in the case of corporation) or the owner's attorney. Complaints not signed by the property owner or their attorney will NOT be accepted.

RULE 5 – SUPPORTING EVIDENCE

All supporting evidence or additional information to be considered by the Board of Review must be submitted at the time the complaint is filed.

The Board of Review may grant up to a 14 calendar day extension for the inability to submit evidence for circumstances beyond the control of the contesting party such as the illness or death of the taxpayer or the completion of a contacted appraisal for evidence.

When requesting an extension for the completion of an appraisal, the complainant or legal representative must submit a letter signed by the licensed individual performing the appraisal acknowledging they are preparing an appraisal for the parcel in question and that it will be completed and submitted within the 14 calendar day extension period.

Examples of evidence include, but are not limited to: 1) settlement Statements, Sales Contracts and/or Real Estate transfer Declaration; 2) comparable Sales; 3) comparable Assessment; 4) photographs; 5) appraisals or legal brief.

A current appraisal by a state certified appraiser can be most helpful. It must conform to all Uniform Standards of Professional Appraisal Practice (USPAP) to be considered. An appraisal that is six (6) months old or less as of the date of filing is considered current. An older appraisal may be accepted as evidence, but will be subject to time adjustments. You are encouraged to have the appraiser attend your hearing should the Board of Review have questions concerning the appraisal.

RULE 6 – PROCEDURE OF THE BOARD OF REVIEW

1. The Board will assign a docket number upon receipt of a properly completed complaint form in a timely manner.
2. The Board of Review will review all complaints and may elect to render a tentative decision. Such tentative decision will be mailed to the taxpayer. If the tentative decision is unsatisfactory to the taxpayer, the taxpayer or his attorney must contact the Supervisor of Assessments Office to schedule a hearing before the Board of Review. The taxpayer must schedule a hearing with the Board of Review within ten (10) calendar days of the postmarked date on the tentative notice. If the taxpayer does not schedule a hearing with the Board of Review, the tentative decision may become final.
3. Failure to attend the scheduled hearing may result in dismissal of the appeal.
4. The Board of Review **may require entry** to the property in order to provide a fair review of the assessment.
5. The Board of Review requires that all taxpayers and their licensed attorney to be present at the hearing when they request a reduction in assessed valuation of \$100,000 or more.

RULE 7 – HEARINGS BY THE BOARD OF REVIEW

All hearing are, by law, open to the public and may be audio taped by the Board of Review; however, the tapes are for deliberation purposes only and are not available to the public. If a transcript of a hearing is desired, a court reporter will have to be obtained at the expense of either the complainant or attorney prior to hearing. A certified copy of the transcript **MUST** be provided to the Board of Review within fifteen (15) working days at the expense of the complainant.

The Board of Review takes its responsibilities very seriously and takes great pride in trying to resolve taxpayers' complaints, thus negating the need for an Illinois Property Tax Appeal Board hearing. Therefore, The Board of Review requires ALL available evidence be submitted with the formal complaint unless an extension is requested for a reason contained in Rule 5, so that the Board can act upon the complaint prior to the Board of Review hearing.

RULE 8 – FINDINGS OF THE BOARD OF REVIEW

1. When a complaint is filed the Board of Review has the authority to adjust any part of the assessment on the property or make no adjustments in the assessment.
2. The Board of Review will render a decision regarding the assessment after all evidence has been presented. The decision may or may not be determined and announced at the time of the hearing.
3. The decision will be mailed to the taxpayer in a "Notice of Final Decision on Assessed Value by Board of Review". Taxpayers will be responsible for providing the decision to their attorney, if applicable.
4. All decisions will be mailed after all complaint hearings from all townships have been completed.

RULE 9 – APPEAL OF THE FINDINGS OF THE BOARD OF REVIEW

The taxpayer and/or attorney may appeal the decision of the Board of Review by filing a written appeal with the State of Illinois Property Tax Appeal Board within thirty (30) days of the postmarked date of the Board of Review's final decision, providing it meets PTAB guidelines. Forms for said appeals are available from the Mason County Supervisor of Assessments Office or online at www.state.il.us/agency/ptab/forms/default.htm.

RULE 10 – ISSUANCE OF ASSESSMENT CHANGES BY THE BOARD OF REVIEW

Any member of the Board of Review may institute the proceedings designed to correct an omission or assessment or cases or error in assessment. A notice shall be sent to the person or corporation concerned advising them of the tentative Board of Review values. If no objection is made by the owner or attorney, no hearing will be held and the tentative value will become the final value.

RULE 11 – REPRESENTATION

A party shall have the right to represent himself or herself and to be present at and participate in any hearing before the Board of Review. The right to participate shall include the rights to call, examine, cross examine and discuss any evidence presented properly. A party may be represented at the hearing by any person who is admitted and licensed to practice as an attorney in the State of Illinois. Accountants, tax representatives, tax advisers, real estate appraisers, real estate consultants and others not qualified to practice law in the State of Illinois may NOT appear at the hearings before the Board in a representative capacity and may not conduct questioning, cross examination or other investigation at the hearing. However, such persons may testify at hearings before the Board. Corporations may be represented at a Board of Review proceeding by an authorized officer, employee or attorney.

THESE RULES AS SET FORTH MAY BE AMENDED AT ANY TIME WITHOUT PRIOR NOTICE AT THE DISCRETION OF THE BOARD OF REVIEW.

Approved and Adopted this 18th day of December, 2010.

Carol Umstad
Garret S Vandeman
James Griffin 6-18-2010

* Publishing of the Board of Review Rules of Government means making copies available to the general public and entering said rules in the Board of Review meetings/minutes book.