



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

APPELLANT: Stuart & Nancy Teschke
DOCKET NO.: 12-00326.001-R-1
PARCEL NO.: 15-08-05-380-001-0000

The parties of record before the Property Tax Appeal Board are Stuart & Nancy Teschke, the appellants; and the Will County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the Will County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$22,024
IMPR.: \$44,468
TOTAL: \$66,492

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants timely filed the appeal from a decision of the Will County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2012 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 two-story and part one-story single family dwelling of frame and brick exterior construction with 2,326 square feet of living area.¹ The

¹ The appellants' reported a dwelling size of 2,200 square feet of living area. The assessing officials reported a dwelling size of 2,326 square feet

dwelling was constructed in 1993. Features of the home include a partial unfinished basement, central air conditioning, a fireplace and a two-car garage which contains 530 square feet of building area. The property has a 12,584 square foot site and is located in New Lenox, New Lenox Township, Will County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on four comparable sales that are located from .14 to .55 miles from the subject property. The comparables are improved with part two-story and part one-story single family dwellings that ranged in size from 1,817 to 2,310 square feet of living area. Each comparable has a basement with two having finished area. The comparables have central air conditioning and a two or three-car garage ranging in size from 420 to 620 square feet of building area. One comparable has a fireplace. These properties have sites that range in size from 10,800 to 19,488 square feet of land area.² The comparables sold from May 2011 to July 2012 for prices ranging from \$190,000 to \$258,000 or from \$85.51 to \$127.13 per square foot of living area, land included.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$98,476. The subject's assessment reflects a market value of \$296,258 or \$127.37 per square foot of living area, land included, when using the 2012 three year average median level of assessment for Will County of 33.24% as determined by the Illinois Department of Revenue.

The board of review submitted a memorandum from Rhonda R. Novak, Clerk of the Will County Board of Review. Novak asserted that the board of review along with the New Lenox Township Assessor has reviewed the appeal. Novak stated that the assessor has submitted a letter, property record cards and a grid. The grid analysis states that comparables #2 and #3 are in a different neighborhood than the subject. Also noted the appellants have an incorrect square footage on all their properties in the grid.

of living area and submitted the subject's property record which contained a schematic drawing to support the contention. The Property Tax Appeal Board finds the best evidence of size was presented by the board of review located on the property record card which contained a schematic diagram.

² The appellants' grid analysis contained some incorrect information. The appellants' submitted the property record cards for their four comparables. The grid was corrected for square foot of living area, basement size, land size, garage size and sale price per square foot. The information in the comparable sales analysis used the corrected information based on the property record cards.

Therefore, Novak, on behalf of the board of review, requested that the assessed value be sustained.

In support of its contention of the correct assessment the board of review submitted information on four equity comparables. The comparables used by the board of review were also utilized by the appellants.

In rebuttal, the appellants submitted Multiple Listing Service sheets for two of their comparables which indicate that comparables #2 and #4 have finished basements.

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.

The Board gave less weight to the appellants' comparables #2 and #4 as these comparables have finished basements while the subject has an unfinished basement. The Board gave no weight to the board of reviews comparables. The assessment information given did not address the market value argument raised by the appellants. The Board finds the best evidence of market value to be the appellant's comparable sales #1 and #3. The comparables are similar in design, living area, and basement size when compared to the subject. These most similar comparables sold for prices of \$190,000 and \$225,000 or \$85.51 and \$108.70 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$296,258 or \$127.37 per square foot of living area, including land, which is above the range established by the most similar comparable sales in this record. Based on this evidence the Board finds 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.

Chairman

K. L. Fan

Member

Klaus Albrecht

Member

Jerry White

Member

Acting Member

Robert Steffen

Acting Member

DISSENTING: _____

C E R T I F I C A T I O N

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: December 18, 2015

A. Proctor

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 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 the subsequent year 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.

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.