



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

APPELLANT: David Janzen
DOCKET NO.: 12-00464.001-R-1
PARCEL NO.: 11-04-31-109-012-0000

The parties of record before the Property Tax Appeal Board are David Janzen, the appellant, by attorney Jerri K. Bush in Chicago; and the Will County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change 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: \$11,837
IMPR.: \$24,801
TOTAL: \$36,638

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant 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 1.5-story dwelling of frame exterior construction with 1,008 square feet of living area. The dwelling was constructed in 1944. Features of the home include a full unfinished basement, central air conditioning and a 264 square foot attached garage. The property has a 8,160

square foot site and is located in Crest Hill, Lockport Township, Will County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on November 10, 2010 for a price of \$43,000. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price. The appellant completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, the property was sold using a Realtor and the property had been advertised on the open market with the Multiple Listing Service. In further support of the transaction the appellant submitted a copy of the Settlement Statement reiterating the purchase date and price; a copy of the Multiple Listing Service data sheet depicting the property had been on the market for 21 days, a listing date of October 5, 2010 with an asking price of \$47,520 and describing the subject as needs some work but well worth the money, home sold "as is" with no repairs being made by the seller; and a copy of the Listing & Property History Report.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$36,638. The subject's assessment reflects a market value of \$110,223 or \$109.35 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.

In response to the appeal, the board of review submitted a memorandum and documentation gathered by the Lockport Township Assessor. The assessor reiterated that the subject property was a 2010 foreclosure sale.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales. The comparables contain from 1,120 to 1,500 square feet of living area and sold from May 2011 to May 2012 for prices ranging from \$110,000 to \$170,000 or from \$96.67 to \$118.06 per square foot of living area land included.

In written rebuttal, the appellant reiterated the contention that the appeal is based on a recent sale and comparable sales are not needed for this type of an appeal.

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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

As to the purchase price of the subject property that occurred in November 2010 for \$43,000, the Property Tax Appeal Board has given little weight to this sale which was 14 months prior to the assessment date at issue of January 1, 2012 and therefore is found to be remote in time and less likely to be indicative of the subject's market value as of the assessment date.

The Board finds the best evidence of market value in the record to be the four comparable sales submitted by the board of review. These comparables had various degrees of similarity to the subject in location and exterior construction. These properties also sold proximate in time to the assessment date at issue. The comparables sold for prices ranging from \$96.67 to \$118.06 per square foot of living area, including land. The subject's assessment reflects a market value of \$109.35 per square foot of living area, including land, which is within the range established by the comparable sales in this record. After considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported. Therefore, no reduction in the subject's assessment is warranted.

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

Mario Morris

Member

Member

Member

Acting Member

Robert Hoffmann

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: February 19, 2016

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.