



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

APPELLANT: Kimberly A. Ryan
DOCKET NO.: 12-00486.001-R-1
PARCEL NO.: 15-08-06-408-006-0000

The parties of record before the Property Tax Appeal Board are Kimberly A. Ryan, the appellant, by attorney William I. Sandrick of the Sandrick Law Firm LLC, in South Holland, 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: \$18,036
IMPR.: \$50,655
TOTAL: \$68,691**

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 one-story dwelling of brick and frame exterior construction with 1,745 square feet of living

area.¹ The dwelling was constructed in 2004. Features of the home include a full unfinished basement, central air conditioning, a fireplace and an attached two-car garage. The property has an 8,880 square foot site and is located in Joliet, New Lenox Township, Will County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$180,000 or \$109.42 per square foot of living area, including land, as of January 1, 2012.

The appraiser performed the cost approach to value with a conclusion of \$229,400. For the sales comparison approach to value, the appraiser analyzed three properties located from .14 to .57 of a mile from the subject. The comparables were described as a 3 Step Ranch and two ranch-style dwellings. The homes range in age from 9 to 47 years old and range in size from 1,350 to 3,100 square feet of living area. Each has a full basement, two of which have finished area. The homes have central air conditioning, a fireplace and a two-car or a four-car garage. The sales occurred in May 2011 and January 2012 for prices ranging from \$206,000 to \$220,000 or from \$70.97 to \$152.59 per square foot of living area, including land.

The appraiser made adjustments to the comparables for concessions, date of sale, land size, view, age, bathroom count, dwelling size, basement finish and/or other differences in amenities. The appraiser then estimated adjusted sale prices ranging from \$172,100 to \$206,900. For the sales comparison approach, the appraiser opined a value for the subject of \$180,000.

In reconciling the two approaches to value, the appraiser gave greatest weight to the sales approach with secondary consideration to the cost approach.

Based on this evidence, the appellant requested an assessment reflective of the appraised value at the statutory level of assessment of 33.33%.

¹ The assessing officials report a dwelling size of 1,745 square feet as depicted on the property record card. The appellant's appraiser reported a dwelling size of 1,645 square feet as depicted on a schematic of the dwelling. The Board finds that the size difference appears to be impacted by rounding of various measurements and the final determination of the subject's correct assessment is not impacted by the relatively minor factual dispute.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$68,691. The subject's assessment reflects a market value of \$206,652 or \$118.43 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 letter from Rhonda R. Novak, Clerk of the Board of Review, asserting that a letter and property record card have been submitted by the New Lenox Township Assessor.

The only evidence attached to the letter of Ms. Novak were three property record cards, one of which concerned the subject property and one of which concerned appellant's appraisal sale #1. As depicted by the property record card, appraisal sale #1 contains 1,776 square feet of living area and sold in June 2011 for \$220,000 or \$123.87 per square foot of living area, including land. The appellant's appraiser reported this home contains 3,100 square feet of living area and made a substantial downward adjustment for the larger dwelling size when compared to the subject.

The third property record card submitted by the board of review depicts a one-story frame dwelling of 1,792 square feet of living area with a full basement. The home has central air conditioning, a fireplace and an attached 483 square foot garage. The home was built in 2004 and has a 7,800 square foot site. The proximity of this comparable to the subject was not disclosed. This property last sold in September 2011 for \$224,000 or \$125.00 per square foot of living area, including land.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

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.

The Property Tax Appeal Board has given little weight to the appellant's appraiser's value conclusion as the board of review established that the dwelling size of appraisal sale #1 was erroneous. This dwelling size error by the appraiser resulted in a substantial downward adjustment that was not valid given that this home was substantially similar in size at 1,776 square feet when compared to the subject of 1,745 square feet. The questionable nature of this particular adjustment and the differences in the chosen comparables is further displayed when examining the total downward adjustments in the appraisal report which range from \$8,100 to \$47,900. Appraisal comparable #2 is on a golf course and a 47 year old dwelling, both of which differences required substantial downward adjustments. Appraisal comparable #3 included "related living" area along with a finished basement which the appraiser adjusted with substantial downward figures. In light of these considerations, the Property Tax Appeal Board finds the appraiser's value conclusion for the subject property is not well-supported by the comparable sales presented. Instead, the Property Tax Appeal Board will examine the best raw sales data presented in the appraisal along with the additional sale presented by the board of review.

The Board finds the most similar comparables to the subject were appellant's appraisal sale #1 as modified by the property record card submitted by the board of review along with the board of review's additional comparable sale on Marilyn. These two properties sold in May and September 2011 for \$220,000 and \$224,000 or for \$123.87 and \$125.00 per square foot of living area, including land. Each home contains approximately 1,800 square feet of living area. The subject's assessment reflects a market value of \$206,652 or \$118.43 per square foot of living area, including land, which is below the two best comparable sales in the record. After considering these two most comparable sales, the Board finds the appellant did not demonstrate the subject property's assessment to be excessive in relation to its market value and a reduction in the subject's assessment is not 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. Ferr

Member

Mark Albino

Member

Jerry White

Member

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: August 21, 2015

A. Portol

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.