



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

APPELLANT: Thomas & Jill Hunt
DOCKET NO.: 12-01556.001-R-1
PARCEL NO.: 02-27-129-009

The parties of record before the Property Tax Appeal Board are Thomas & Jill Hunt, the appellants, and the Kane 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 Kane County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$36,901
IMPR.: \$104,837
TOTAL: \$141,738

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants timely filed the appeal from a decision of the Kane 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 two-story dwelling of frame and masonry exterior construction with approximately 4,088 square feet of living area.¹ The dwelling was constructed in

¹ The appellants' appraisal reported a dwelling size of 4,088 square feet and provided no schematic or other evidence to support the assertion. The board of review reported a dwelling size of 4,112 square feet of living area, but provided no property record card to support the contention. The Board finds

2003. Features of the home include a full unfinished basement, central air conditioning, a fireplace² and an attached three-car garage. The property has a 1.21-acre site and is located in Hampshire, Rutland Township, Kane County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted an appraisal estimating the subject property had a market value of \$425,000 as of December 18, 2012. The appraiser reported the subject property is on well and septic. The appraiser utilized the sales comparison approach to value in arriving at his opinion. There were five sales and two active listings considered that were located within 6.75-miles from the subject property. The appraiser reported the comparable properties were located in unincorporated Hampshire or the neighboring competing market area of Elgin on private well and septic, except for comparable sale #1 which was accordingly adjusted for the difference. As part of the Addendum, the appraiser also noted that the subject and two of the comparables have association fees with the properties for common area amenities. As the appraiser determined each was similar with similar marketability, he found no adjustments were necessary for the differences. The appellants' appraiser made adjustments in the appraisal report for lot size, view, design, room count, dwelling size, basement finish and/or other differences such as in-ground pool amenities. From this analysis, the appraiser arrived at adjusted sales prices for the comparables ranging from \$424,790 to \$531,845.

Based on this evidence, the appellants requested an assessment of \$135,000 which would reflect a market value of approximately \$405,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$155,491. The subject's assessment reflects a market value of \$466,240 or \$114.05 per square foot of living area, land included, when using the 2012 three year average median level of assessment for Kane County of 33.35% as determined by the Illinois Department of Revenue.

the minor discrepancy does not prevent a determination of the subject's correct assessment on this record.

² The assessing officials reported the subject has two fireplaces, but as noted previously provided no property record card or other support for the contention.

In support of its contention of the correct assessment the board of review submitted a memorandum from the township assessor contending that the appellants' appraisal has a valuation date of December 18, 2012 and only one of the comparable sales in the report is located in Rutland Township.

The assessor also reported that there have been very few sales of homes of the subject's quality in this or comparable subdivisions in the prior three years. The assessor prepared a spreadsheet with information on five comparable sales that occurred between April 2009 and January 2012. Based on this evidence and argument, the board of review requested confirmation of the subject's assessment.

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 has given no weight to board of review comparable sales #1, #2 and #5 as these sales each occurred in 2009, a date more remote in time to the valuation date of January 1, 2012 and thus less likely to be indicative of the subject's estimated market value as of the assessment date at issue.

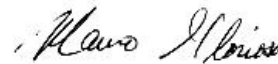
The Board finds the best evidence of market value to be the appraisal submitted by the appellants with a value conclusion of \$425,000 or approximately \$104 per square foot of living area, including land, which conclusion is further supported by the more proximate sales of board of review comparable sales #3 and #4. These two board of review comparables sold in July 2011 and January 2012 for prices of \$365,000 and \$422,500 or for \$100.83 and \$105.23 per square foot of living area, including land, which supports the appraiser's value conclusion on a per-square-foot basis.

The subject's assessment reflects a market value of \$466,240 or \$114.05 per square foot of living area, including land, which is above the appraised value of \$425,000 and also above the best comparable sales in the record presented by the board of review

of \$365,000 and \$422,500. In light of the evidence, the Property Tax Appeal Board finds the subject property had a market value of \$425,000 as of the assessment date at issue. Since market value has been established the 2012 three year average median level of assessments for Kane County of 33.35% as determined by the Illinois Department of Revenue shall apply. (86 Ill.Admin.Code §1910.50(c)(1)).

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



Member

Member



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: June 26, 2015



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.