



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

APPELLANT: Robert Shurson
DOCKET NO.: 12-02723.001-R-1
PARCEL NO.: 03-09-276-003

The parties of record before the Property Tax Appeal Board are Robert Shurson, the appellant; and the Kendall 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 **Kendall** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$21,836
IMPR.: \$72,300
TOTAL: \$94,136

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Kendall 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 brick and frame exterior construction that is 23 years old. The dwelling contains 2,899 square feet of living area. Features include an unfinished basement, central air conditioning, a

fireplace and a 725 square foot garage. The subject property is located in Oswego Township, Kendall County, Illinois.

The appellant submitted evidence before the Property Tax Appeal Board claiming assessment inequity as the basis of the appeal. The subject's land assessment was not challenged. In support of the inequity claim, the appellant submitted photographs and an analysis of three suggested comparables located in close proximity to the subject. The comparables consist of two-story dwellings of frame or "other" exterior construction. The dwellings are approximately 20 years old. Features have varying degrees of similarity when compared to the subject. The dwellings range in size from 2,524 to 2,760 square feet of living area. The comparables have improvement assessments ranging from \$61,893 to \$66,313 or from \$23.97 to \$24.52 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$96,916 was disclosed. The subject property has an improvement assessment of \$75,080 or \$25.90 per square foot of living area.

In support of the subject's assessment, the board of review submitted four suggested assessment comparables. A map shows the comparables are located in the subject's neighborhood within ¼ of a mile from the subject. The comparables consist of two-story dwellings of brick and frame exterior construction. The dwellings are from 12 to 22 years old. Features have varying degrees of similarity when compared to the subject. The dwellings range in size from 2,875 to 2,962 square feet of living area. The comparables have improvement assessments ranging from \$68,966 to \$78,453 or from \$23.99 to \$26.49 per square foot of living area.

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

Conclusion of Law

The taxpayer contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for

the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted descriptions and assessment data for seven suggested assessment comparables for the Board's consideration. The Board gave less weight to the comparable #3 submitted by the board of review due to its newer age when compared to the subject. The Board finds the remaining six comparables are more similar when compared to the subject in location, design, size, age and features. They have improvement assessments ranging from \$61,893 to \$73,163 or from \$23.97 to \$25.31 per square foot of living area. The subject property has an improvement assessment of \$75,080 or \$25.90 per square foot of living area, which falls above the range established by the most similar assessment comparables contained in this record. Therefore, a reduction in the subject's improvement 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

Klaus Albrecht

Member

Member

JR

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: November 20, 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.