



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

APPELLANT: William Beltz
DOCKET NO.: 13-00135.001-R-1
PARCEL NO.: 19-09-31-302-041-0000

The parties of record before the Property Tax Appeal Board are William Beltz, the appellant, 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: \$31,092
IMPR: \$107,039
TOTAL: \$138,131

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 2013 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 exterior construction with 3,711 square feet of living area. The dwelling was constructed in 2001. Features of the home include a full basement, central air conditioning, a fireplace and an 862 square foot garage. The property has an 18,000

square foot site and is located in Frankfort, Frankfort Township, Will County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales located within ½ block of the subject property. The comparable dwellings are 10 or 11 years old and range in size from 3,609 to 5,836 square feet of living area. Each home has a full basement, central air conditioning, a fireplace and a garage ranging in size from 777 to 936 square feet of building area. These comparables sold between August 2011 and November 2013 for prices ranging from \$389,600 to \$575,000 or from \$95.99 to \$107.95 per square foot of living area, including land.

Based on this evidence and an average sale price per square foot, the appellant requested a total assessment of \$126,285 which would reflect a market value of approximately \$378,855 or \$102.09 per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$138,131. The subject's assessment reflects a market value of \$416,183 or \$112.15 per square foot of living area, land included, when using the 2013 three year average median level of assessment for Will County of 33.19% as determined by the Illinois Department of Revenue.

In rebuttal, the board of review submitted a letter from Joseph N. Kral, Frankfort Township Assessor, asserting that appellant's comparables #3 and #4 sold in April and November 2013, respectively, and were thus "outside the allowable time frame and should be disqualified." In addition, appellant's comparable #4 is a much larger dwelling which is dissimilar to the subject home.

In support of its contention of the correct assessment the board of review through the township assessor submitted information on four comparable sales located in the same neighborhood code assigned by the assessor as the subject property. Board of review comparable #3 is the same property as appellant's comparable sale #1. These four comparables consist of two-story brick dwellings that range in size from 3,122 to 4,475 square feet of living area. Each comparable has a full basement, central air conditioning, a fireplace and a garage ranging in size from 716 to 812 square feet of building area. The sales occurred between August 2011 and August 2012 for prices ranging

from \$389,600 to \$495,000 or from \$107.26 to \$158.55 per square foot of living area, including land.

Based on this evidence and argument, 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 parties submitted a total of seven comparable sales to support their respective positions before the Property Tax Appeal Board with one common property presented by the parties. The Board has given reduced weight to appellant's comparable #4 as this dwelling at 5,836 square feet is substantially larger than the subject dwelling of 3,711 square feet. Similarly, the Board has also given reduced weight to board of review comparables #2 and #4 as these two dwellings each differ substantially in size from the subject dwelling.

The Board finds the best evidence of market value to be appellant's comparable sales #1, #2 and #3 along with board of review comparable sales #1 and #3, where board of review comparable #3 is the same property as appellant's comparable #1. These four most similar comparable dwellings range in size from 3,609 to 4,063 square feet of living area. These properties sold between August 2011 and April 2013 for prices ranging from \$389,600 to \$435,000 or from \$95.99 to \$118.46 per square foot of living area, including land. The subject's assessment reflects a market value of \$416,183 or \$112.15 per square foot of living area, including land, which is within the range established by the best comparable sales in this record both in terms of overall value and on a per-square-foot basis. After considering adjustments and the differences between the comparables and the subject, the Board finds a reduction in the subject's assessment is not 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. 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: September 18, 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.