



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

APPELLANT: Agnieszka Olpinska
DOCKET NO.: 13-00612.001-R-1 through 13-00612.003-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Agnieszka Olpinska, the appellant; and the Will County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **A Reduction** 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
13-00612.001-R-1	30-07-01-305-026-0000	1,818	11,355	\$13,173
13-00612.002-R-1	30-07-01-305-027-0000	1,818	11,355	\$13,173
13-00612.003-R-1	30-07-01-305-028-0000	1,654	0	1,654

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 is improved with a part split-level and part one-story multi-family dwelling of frame construction with 3,362 square feet of gross living area. The dwelling was constructed in 1968. Features of the building include four apartments and a part slab foundation. The property is located in Joliet, Joliet 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 July 13, 2012 for a price of \$40,350. The appellant disclosed on the appeal the subject property was purchased from Bank of America, the property had been listed in the Multiple Listing Service (MLS) and the property was sold out of foreclosure. In further support of the purchase the appellant submitted a copy of the settlement statement disclosing a purchase price of \$40,350. The appellant also submitted a copy of the MLS listing disclosing the property was listed for a price of \$14,500 and ultimately

sold for a price of \$40,350. The listing sheet indicated the property was in need of major repairs, the property was sold "as is" and the property was described as being in pre-foreclosure. The listing sheet also indicated the property had been on the market for 14 days. Based on this evidence the appellant requested the subject's assessment be reduced to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" and evidence of four comparable sales provided by the township assessor in support of the assessment. The total assessment for the subject property was \$39,698. The subject's assessment reflects a market value of \$119,608 or \$35.58 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 support of its contention of the correct assessment the board of review submitted information on four comparable sales improved with two-story apartment buildings that ranged in size from 2,256 to 3,752 square feet of living area. The buildings were constructed from 1915 to 1966 and each property had four units. Three comparables had full basements and three comparables had garages ranging in size from 420 to 960 square feet of building area. The sales occurred from September 2012 to August 2013 for prices ranging from \$90,000 to \$180,000 or from \$33.97 to \$57.40 per square foot of living area, including land. A copy of the statement provided by the township assessor noted the subject property was purchased in June 2012 and has four units that are fully rented. The board of review requested the subject's assessment be sustained.

In rebuttal the appellant asserted in part the board of review did not provide any evidence disputing the arm's length transaction.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the appellant provided evidence that the subject property was purchased in July 2013 for a price of \$40,350. The record disclosed the subject sold out of foreclosure and the property had been on the market for approximately 14 days. The Board finds the fact the subject property sold out of foreclosure and was only exposed on the market for 14 days calls into question the arm's length nature of the transaction. Nevertheless, some weight is given to the purchase price. The record also contained evidence that the subject building was in need of major repairs, however, the appellant did not detail the nature the repairs and whether or not the repairs were made.

The board of review provided information on four comparable sales improved with four unit apartment buildings that had varying degrees of similarity to the subject property. These properties sold for prices ranging from \$90,000 to \$180,000 or from \$33.97 to \$57.40 per square foot of living area, including land. Three comparables were superior to the subject with full

basements and three of the comparables had garages while the subject had no garage. The subject's assessment reflects a market value of \$119,608 or \$35.58 per square foot of living area, including land, which is within the range established by the sales provided by the board of review but significantly above the subject's purchase price. After considering the subject's purchase price and the sales provided by the board of review, the Board finds a reduction in the subject's assessment is 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.

Mark Albino

Chairman

K. L. Fen

Member

Member

Robert Hoffmann

Member

Member

DISSENTING: _____

CERTIFICATION

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: July 22, 2016

Alfredo

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.