



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

APPELLANT: Lyubomir Alexandrov
DOCKET NO.: 13-00663.001-R-1
PARCEL NO.: 21-14-02-206-005-0000

The parties of record before the Property Tax Appeal Board are Lyubomir Alexandrov, 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:

LAND: \$5,650
IMPR.: \$1,403
TOTAL: \$7,053

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 one-story dwelling of frame construction with 1,092 square feet of living area. The dwelling was constructed in 1954. Features of the home include a concrete slab foundation and a detached one-car garage. The property has a .17-acre site and is located in Park Forest, Monee 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 .5 of a mile of the subject property. The comparables consist of one-story frame dwellings that were each 60 years old and contain 1,092 square feet of living area with concrete slab foundations. Three of the comparables have central air conditioning and three have a garage and/or a carport. These properties sold between March 2011 and August 2012 for prices ranging from \$16,500 to \$25,000 or from \$15.11 to \$22.89 per square foot of living area, including land.

Based on this evidence and additional argument, the appellant contended that since no building permits have been taken out in Park Forest for years 2008 through and including 2012, "nobody wants to build, where a house cost \$20,000" and therefore the appellant requested a total assessment of \$7,000 which would reflect a market value of approximately \$21,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$23,400. The subject's assessment reflects a market value of \$70,503 or \$64.56 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 response to the appeal, the board of review submitted a letter and data gathered by the Monee Township Assessor's Office. The assessor asserted that appellant's comparable sales #1, #2 and #3 "would not be used to determine value for the subject property" because the properties sold via Special Warranty Deed and/or Bank REO.

In support of its contention of the correct assessment the board of review through the township assessor submitted information on three comparable sales. The comparables consist of one-story frame dwellings that were each approximately 60 years old and contain 1,092 square feet of living area with concrete slab foundations. One of the comparables has central air conditioning and each has a garage. These properties sold between November 2011 and August 2012 for prices ranging from \$48,000 to \$76,500 or from \$43.96 to \$70.05 per square foot of living area, including land.

The assessor also included a grid analysis of three equity comparables which will not be further addressed on this record as the Board finds equity data is not responsive to the appellant's overvaluation argument.

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

In written rebuttal, the appellant contended that the board of review comparable dwellings have been updated recently with new windows, kitchens and other improvements whereas the subject property still has "the drafty old windows and metal kitchen cabinets from 1954." On page two of the appellant's rebuttal, there were details of each of the features of the board of review comparables as summarized from Multiple Listing Service data sheet remarks on the properties.

Additionally, the appellant submitted a new analysis of 34 sales in the subject's neighborhood for the period of 2010 – 2012 on Redfin.com and reported that 23 of the sales were below \$48,000, thereby disputing the assessor's contention in her letter that the median sale price is \$72,000.¹ The appellant further disagreed with the assessor's determination to exclude all compulsory sales. On page two of the rebuttal, the appellant also included a grid analysis of 34 sales that occurred between January 2010 and December 2012 for prices ranging from \$16,500 to \$101,000.²

¹ The Board finds that the "median" sale price of the three comparables presented by the board of review is \$72,000 (i.e., the middle sale price of three sales).

² The median sale price of these comparables listed by the appellant is \$35,000.

Pursuant to the rules of the Property Tax Appeal Board, rebuttal evidence is restricted to that evidence to explain, repel, counteract or disprove facts given in evidence by an adverse party. (86 Ill.Admin.Code §1910.66(a)). Moreover, rebuttal evidence shall not consist of new evidence such as an appraisal or newly discovered comparable properties. (86 Ill.Admin.Code §1910.66(c)). In light of these rules, the Property Tax Appeal Board has not considered the additional 34 comparable sales submitted by appellant in conjunction with the rebuttal argument.

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 Property Tax Appeal Board takes judicial notice of Section 1-23 of the Property Tax Code which defines compulsory sale as:

"Compulsory sale" means (i) the sale of real estate for less than the amount owed to the mortgage lender or mortgagor, if the lender or mortgagor has agreed to the sale, commonly referred to as a "short sale" and (ii) the first sale of real estate owned by a financial institution as a result of a judgment of foreclosure, transfer pursuant to a deed in lieu of foreclosure, or consent judgment, occurring after the foreclosure proceeding is complete. 35 ILCS 200/1-23.

Section 16-183 of the Code provides that the Property Tax Appeal Board is to consider compulsory sales in determining the correct assessment of a property under appeal stating:

Compulsory sales. The Property Tax Appeal Board shall consider compulsory sales of comparable properties for the purpose of revising and correcting assessments, including those compulsory sales of comparable properties submitted by the taxpayer. 35 ILCS 200/16-183.

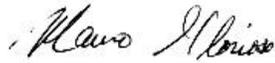
Based on these statutes, the Property Tax Appeal Board finds it is appropriate to consider the sales presented by the appellant in revising and correcting the subject's assessment.

The parties presented a total of seven comparable sales to support their respective positions before the Property Tax Appeal Board. In light of the appellant's rebuttal evidence that the board of review comparables were recently rehabbed and/or updated homes, these comparables have been given reduced weight in the Board's analysis.

The Board finds the best evidence of market value to be the appellant's comparable sales. These most similar comparables sold between March 2011 and August 2012 for prices ranging from \$16,500 to \$25,000 or from \$15.11 to \$22.89 per square foot of living area, including land. The subject's assessment reflects a market value of \$70,503 or \$64.56 per square foot of living area,

including land, which is above the range established by the best comparable sales in this record both in terms of overall value and on a per-square-foot basis. Based on this evidence 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.



Chairman



Member

Member



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: June 24, 2016



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.