



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

APPELLANT: Gabriel & Krystal Orenic
DOCKET NO.: 13-00725.001-R-1
PARCEL NO.: 05-06-17-405-024-0000

The parties of record before the Property Tax Appeal Board are Gabriel & Krystal Orenic, the appellants, by William I. Sandrick, of Sandrick Law Firm LLC, in South Holland, and the Will County Board of Review.

Based on the facts and exhibits presented in this matter, 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: \$16,245
IMPR.: \$80,864
TOTAL: \$97,109

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 part one-story and part two-story dwelling of frame with brick trim construction with approximately 3,151 square feet of living area. The dwelling was constructed in 1998. Features of the home include a full unfinished basement, central air conditioning, a fireplace and an attached 599 square foot garage. The property has a 14,910 square foot site and is located in Shorewood, Troy Township, Will 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 \$260,000 as of January 1, 2013. On page one of the appraisal report, the appraiser indicated the appraisal was prepared for "estimation of value for tax assessment purposes"; on page two of the Addendum, the purpose of the appraisal was to "assist with an estimation of value for estate

purposes" although page three of the Addendum reiterates the originally stated purpose of the report.

The appraiser also reported that the subject property was purchased in April 2010 for \$335,000. The appraiser also stated that since the date of purchase "market values have declined."

Under the cost approach the appraiser estimated the subject had a site value of \$25,000. The appraiser estimated the reproduction cost new of the improvements to be \$420,323. The appraiser estimated physical depreciation based upon the estimated effective age and external depreciation to be \$209,082 resulting in a depreciated improvement value of \$211,241. The appraiser also estimated the site improvements had a value of \$20,000. Adding the various components, the appraiser estimated the subject property had an estimated market value of \$256,200 under the cost approach to value.

Under the sales comparison approach the appraiser analyzed three comparable sales located within .48 of a mile from the subject. The comparable parcels range in size from 10,220 to 17,050 square feet of land area and are improved with two-story frame dwellings that range in age from 1 to 13 years old. The homes range in size from 2,800 to 3,352 square feet of living area and feature full basements, one of which has finished area. Each home has central air conditioning and a two-car or a three-car garage. Two of the comparables have a fireplace. The properties sold in November 2012 for prices ranging from \$250,000 to \$274,900 or from \$79.06 to \$89.51 per square foot of living area, including land.

The appraiser made adjustments to the comparables for financing concessions, land size, age, condition, dwelling size, basement finish, lack of a fireplace and/or garage stalls. From this process, the appraiser arrived at adjusted sale prices ranging from \$257,900 to \$263,000.

In reconciliation, the appraiser gave greater weight to the sales comparison approach with support from the cost approach. The appraiser opined a value for the subject of \$260,000 as of January 1, 2013. Based on this evidence, the appellants requested an assessment reflective of the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$97,109. The subject's assessment reflects a market value of \$292,585 or \$92.85 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 memorandum and documentation prepared by the Troy Township Assessor. The assessor argued that the subject is a custom built, "B" quality grade dwelling and the appraiser utilized comparable sales that, except comparable #2, were not within the subject's neighborhood and were not custom built homes, except appraisal sale #2. Furthermore, no adjustment for age was made to comparables #2 and #3. The assessor also noted physical depreciation of \$84,065 for a 15 year old dwelling, although no evidence was provided to contradict the conclusion of physical depreciation.

In support of its contention of the correct assessment the board of review through the township assessor submitted information on five comparable sales, where comparable #2 is the same property as appraisal sale #2 and four of which are located in the "subject's neighborhood"; the grid analysis reflects the subject and four of the comparables are in Hunt Club and one comparable #3 is in Vintage. Each comparable is said to be a custom built home. The comparable parcels range in size from 14,017 to 17,501 square feet of land area and are improved with part one-story and part two-story frame with brick trim dwellings were built between 1996 and 1999. The homes range in size from 2,711 to 3,486 square feet of living area and feature full unfinished basements, central air conditioning, a fireplace and a garage ranging in size from 691 to 826 square feet of building area. The properties sold between November 2012 and November 2013 for prices ranging from \$250,000 to \$360,000 or from \$91.58 to \$117.30 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 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board has given reduced weight to the value conclusion of the appellants' appraisal report as the appraiser selected properties more distant from the subject property when comparables within the subject's subdivision were available as shown by the evidence presented by the board of review. The Board further finds that the adjustments made by the appraiser were not well explained or supported in the appraisal report (see Addendum page 2) and simply generalized that upward or downward adjustments were necessary for certain differences.

The Board has also given reduced weight to board of review comparable #5 which appears to be an outlier with a much higher sale price than the majority of the comparables presented by the board of review.

The Board finds the best evidence of market value to be the board of review comparable sales #1 through #4. These board of review comparables were each slightly smaller than the subject dwelling and the properties sold between November 2012 and November 2013 for prices ranging from \$250,000 to \$318,000 or from \$91.58 to \$117.30 per square foot of living area, including land. The subject's assessment reflects a market value of \$292,585 or \$92.85 per square foot of living area, including land, which is within the range established by the best comparable sales in the record and appears to be logical when considering the subject is larger than these comparable dwellings on a per-square-foot basis. Based on this evidence 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



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.