



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

APPELLANT: William & Lynne Slavik  
DOCKET NO.: 13-01199.001-R-1  
PARCEL NO.: 09-18-402-002

The parties of record before the Property Tax Appeal Board are William & Lynne Slavik, the appellants, by attorney James F. Bishop in Crystal Lake, and the Kane 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 **Kane** County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$ 81,420  
**IMPR.:** \$ 421,484  
**TOTAL:** \$ 502,904

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Kane 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 construction with 6,442 square feet of living area. The dwelling was constructed in 2003. Features of the home include a full, partially finished basement, central air conditioning,

five fireplaces and a four-car garage. The property has a 2.53 acre site and is located in St. Charles, St. Charles Township, Kane 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 \$1,425,000 as of January 1, 2013. The appraisal was prepared by Charles Walsh, a State of Illinois licensed general certified appraiser. Mr. Walsh was present at the hearing and provided testimony regarding his valuation methodologies and final opinion of value. Walsh testified the subject is a custom built home located in a golf course community. Walsh further testified that he gave more weight in his analysis to appraisal comparables #2 and #3, even though #2 was located in a different township than the subject. Walsh acknowledged that comparables #2 and #3 were not located in a golf course community like the subject. The three sales utilized by Walsh sold from June 2011 to January 2013 for prices ranging from \$825,000 to \$1,775,000 or from \$189.17 to \$212.83 per square foot of living area, including land. After making adjustments to the comparables, Walsh concluded adjusted sale prices ranging from \$1,062,251 to \$1,491,042. Based on his analysis, Walsh estimated the subject's market value of \$1,425,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$502,904. The subject's assessment reflects a market value of \$1,509,769 or \$234.36 per square foot of living area, land included, when using the 2013 three year average median level of assessment for Kane County of 33.31% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted three comparable sales. The sales occurred from March 2012 to July 2013 and sold for prices ranging from \$1,325,000 to \$2,000,000 or from \$255.99 to \$304.72 per square foot of living area, including land. Dianne Hemmingsen, Deputy Assessor for St. Charles Township, testified the appellants listed the subject for sale in late May 2012 with an asking price of \$2,345,000 and then listed the subject again in May 2014 with an asking price of \$1,695,000. A Multiple Listing Service sheet was submitted in support of this argument. Based on this evidence, 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 finds the best evidence of market value to be comparable sale #1 contained within the appraisal report and the comparable sales submitted by the board of review. The Board finds these sales had varying degrees of similarity to the subject and sold most proximate to the assessment date at issue in this appeal. The remaining comparables were given less weight due to the date of sale being too remote for a 2013 appeal, dissimilar amenities and/or dissimilar location when compare to the subject. Further, the Board gave Walsh's final opinion of value less weight based on the significant adjustments that were required in order to make the comparables similar to the subject for a valuation analysis. The Board finds these adjustments were not well supported in this record. The most similar sale comparables sold for prices ranging from \$201.86 to \$304.72 per square foot of living area, including land. The subject's assessment reflects a market value of \$234.36 per square foot of living area, land included, which is within the range established by the the best evidence of market value in this record. The Board further finds the late May 2012 asking price of \$2,345,000 and the May 2014 asking price of \$1,695,000 further supports the argument that the appellants believe the market value of the subject is higher than the estimated value of \$1,509,769 as reflected by its assessment.

Based on this evidence the Board finds the appellants have not shown by a preponderance of evidence herein that the subject is overvalued and 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.

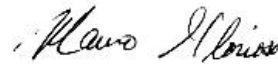
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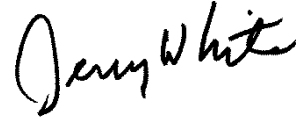
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DISSENTING: \_\_\_\_\_

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



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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.