



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

APPELLANT: Lyubomir Alexandrov  
DOCKET NO.: 13-02438.001-R-1  
PARCEL NO.: 15-34-327-023

The parties of record before the Property Tax Appeal Board are Lyubomir Alexandrov, the appellant, and the Kane County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction 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:** \$4,153  
**IMPR.:** \$17,616  
**TOTAL:** \$21,769

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 one-story dwelling of frame construction with 1,152 square feet of living area. The dwelling was constructed in 1972. Features of the home include a crawl-space foundation. The property has a 7,485 square foot site and is located in Montgomery, Aurora Township, Kane 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 half a mile of the subject property. The comparables consist of one-story frame dwellings that were built between 1954 and 1964. The homes range in size from 960 to 1,340 square feet of living area. Each comparable has a full or partial unfinished basement and one comparable has a fireplace. Two of the comparables have garages of 624 and 1,035 square feet of building area. The properties sold between September 2011 and October 2012 for prices ranging from \$20,000 to \$40,600 or from \$14.93 to \$32.53 per square foot of living area, including land.

Based on this evidence, the appellant requested a total assessment of \$5,733 which would reflect a market value of approximately \$17,200 or \$14.93 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 \$25,343. The subject's assessment reflects a market value of \$76,082 or \$66.04 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 response to the appeal, the board of review contended that appellant's comparables #1, #2 and #3 were short, HUD and bank sales, respectively.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales. The comparables consist of one-story frame dwellings that were built in 1954 or 1972. The comparables range in size from 640 to 1,620 square feet of living area. One comparable has a full unfinished basement and one comparable has central air conditioning. Each of the comparables has a garage ranging in size from 280 to 484 square feet of building area. The properties sold between January 2010 and December 2012 for prices ranging from \$84,000 to \$100,000 or from \$61.73 to \$131.25 per square foot of living area, including land.

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

In written rebuttal, the appellant reported that the board of review's comparables were located in the subject's neighborhood

and consisted of similar dwellings to the subject, except that three comparables were significantly smaller than the subject dwelling and therefore reflect higher prices per square foot when compared to the subject. Additionally, the appellant contends that these comparables have had interior updating which has not been done to the subject dwelling. In support of this contention, the appellant summarized data on the board of review comparables from Multiple Listing Service data sheets.

Additionally, the appellant reported prior sales of board of review's comparables #1 and #2 that occurred in November 2011 and July 2012 for prices of \$36,000 and \$34,600 before rehabbing of the properties that reflects the sales prices reported by the board of review of \$100,000 and \$91,000 respectively.

The appellant also noted that three of the comparables have two-car garages which are not a feature of the subject property and comparable #4 has a full basement which is not a feature of the subject.

#### **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 parties submitted a total of eight comparable sales to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to board of review comparable #4 which is significantly smaller than the subject and has a full basement which is not a feature of the subject property. In addition, less weight has been given to both board of review comparable #3 and #4 as these sales both occurred in 2010, dates more remote in time to the valuation date at issue of January 1, 2013 and thus less likely to be indicative of the subject's estimated market value as of the assessment date.

The Board finds the best evidence of market value to be the appellant's comparable sales along with board of review comparable sales #1 and #2. These six comparables are similar

to the subject in design, exterior construction and location. The appellant's comparables each have a basement which is not a feature of the subject dwelling. Except for board of review comparable #1, five of these six most similar properties to the subject were 8, 20, 22 and 23 years older than the subject dwelling. Four of these comparables have a garage which is not a feature of the subject property. These six comparables sold between September 2011 and December 2012 for prices ranging from \$20,000 to \$100,000 or from \$14.93 to \$104.84 per square foot of living area, including land. The subject's assessment reflects a market value of \$76,082 or \$66.04 per square foot of living area, including land, which appears to be excessive when giving due consideration to the most similar comparable, board of review #1, that is similar in age, larger in dwelling size but also features a garage; this comparable sold for \$61.73 per square foot of living area, including land in January 2012. The subject dwelling is inferior in size and garage feature to board of review comparable #1. Based on this evidence and analysis, 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.

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Chairman

*K. L. Fan*

*Mario Alvarez*

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Member

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Member

*JR*

\_\_\_\_\_  
Member

\_\_\_\_\_  
Acting Member

*Robert Hoffmann*

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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: February 19, 2016

*A. Proctor*

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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.