



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

APPELLANT: Raimund & Jacqueline Ege  
DOCKET NO.: 13-02557.001-R-1  
PARCEL NO.: 09-35-455-050

The parties of record before the Property Tax Appeal Board are Raimund & Jacqueline Ege, the appellants, by Jerri K. Bush, Attorney at Law, in Chicago, 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: \$9,613  
IMPR.: \$34,755  
TOTAL: \$44,368**

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellants 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 interior condominium unit of frame exterior construction with 1,328 square feet of living area. The dwelling was constructed in 1994. Features of the unit include a concrete slab foundation, central air conditioning, a fireplace and a 270 square foot

garage. The property has a 3,171 square foot 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 information on three comparable sales of 1,304 square foot condominium units in the same development with a fireplace and a 270 square foot garages. Each of the comparables is an interior unit. These comparables sold between April and June 2013 for prices ranging from \$127,000 to \$129,000 or from \$97.39 to \$98.93 per square foot of living area, including land.

Based on this evidence, the appellants requested a total assessment of \$42,662 which would reflect a market value of approximately \$128,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$46,614. The subject's assessment reflects a market value of \$139,940 or \$105.38 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 through the township assessor's office acknowledged that both parties' comparables were located in the subject's neighborhood.

In support of its contention of the correct assessment the board of review through the township assessor submitted information on six comparable sales. The comparable units range in size from 1,304 to 1,488 square feet of living area. Three of the comparables were "end units" of 1,488 square feet of living area with larger garages of 388 square feet of building area. The six comparables sold between March 2012 and March 2014 for prices ranging from \$135,000 to \$180,000 or from \$101.66 to \$120.97 per square foot of living area, including land.

Based on this evidence, the board of review requested confirmation for 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted a total of nine comparable sales located in the same condominium development with varying degrees of similarity for consideration of the Property Tax Appeal Board. After analyzing the similarities and the differences in the comparable properties presented, the Board has given reduced weight to board of review comparables #4, #5 and #6 as each of these units has a slightly larger land area, has a slightly larger dwelling size and a larger garage of 388 square feet. Moreover, the Board finds that each of these three larger units is also an "end unit" which differs from the subject and remaining comparables' location as interior units.

The Board finds the best evidence of market value to be the appellants' comparable sales along with board of review comparable sales #1, #2 and #3. These most similar comparables sold between March 2012 and June 2013 for prices ranging from \$127,000 to \$149,000 or from \$97.39 to \$112.20 per square foot of living area, including land. The subject's assessment reflects a market value of \$139,940 or \$105.38 per square foot of living area, including land, which is on the high end of the range of the most similar comparable sales and appears to be slightly excessive given that five of the six most similar comparables sold for approximately \$100.00 per square foot of living area, including land. Based on this evidence the Board finds a slight 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



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Member



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Member



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Acting Member



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Member

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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



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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.