



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

APPELLANT: Richard Krey
DOCKET NO.: 13-02693.001-R-1
PARCEL NO.: 06-35-201-059

The parties of record before the Property Tax Appeal Board are Richard Krey, the appellant, by attorney Jerri K. Bush, in Chicago, and the Kendall 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 **Kendall** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$6,105
IMPR.: \$36,175
TOTAL: \$42,280

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Kendall 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 brick and frame exterior construction with 1,666 square feet of living area. The dwelling was constructed in 2005. Features of the home include central air conditioning and a 400 square foot garage. The property has a 5,058 square foot site and is located in Joliet, Na-Au-Say Township, Kendall County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales located within .2 of a mile from the subject property. The comparable dwellings consist of one-story frame homes that range in size from 1,274 to 1,464 square feet of living area. Two of the comparables have central air conditioning and a fireplace. Each comparable also has a two-car garage. The properties sold between January and June 2012 for prices ranging from \$96,000 to \$104,900 or from \$65.75 to \$82.34 per square foot of living area, including land.

Based on this evidence, the appellant requested a total assessment of \$34,963 which would reflect a market value of approximately \$104,889 or \$62.96 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 \$42,280. The subject's assessment reflects a market value of \$126,891 or \$76.17 per square foot of living area, land included, when using the 2013 three year average median level of assessment for Kendall County of 33.32% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales from the subject's neighborhood. The comparables consist of one-story brick and frame dwellings that were built between 2006 and 2012. The homes contain either 1,479 or 1,666 square feet of living area and feature central air conditioning and a 400 square foot garage. The properties sold between May 2012 and October 2013 for prices ranging from \$120,000 to \$135,000 or from \$72.03 to \$83.84 per square foot of living area, including land.

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

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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted a total of seven comparable sales to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to the appellant's comparables which differ in size, air conditioning and/or fireplace feature when compared to the subject dwelling. Likewise, the Board has given reduced weight to board of review comparable #4 which also differs from the subject dwelling in size.

The Board finds the best evidence of market value to be board of review comparable sales #1 through #3. Each of these homes contains 1,666 square feet of living area, central air conditioning and a 400 square foot garage like the subject. These most similar comparables sold between May 2012 and October 2013 for prices ranging from \$120,000 to \$135,000 or from \$72.03 to \$81.03 per square foot of living area, including land. The subject's assessment reflects a market value of \$126,891 or \$76.17 per square foot of living area, including land, which is within the range established by the best comparable sales in terms of both overall value and 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

K. L. Fan

Klaus Albrecht

Member

Member

JR

Jerry White

Member

Acting Member

Robert Steffen

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: November 20, 2015

A. Proctor

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.