



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

APPELLANT: Richard Krey
DOCKET NO.: 13-02695.001-R-1
PARCEL NO.: 01-25-101-032

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: \$5,751
IMPR.: \$11,082
TOTAL: \$16,833

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 duplex dwelling of frame construction with 894 square feet of living area. The dwelling was constructed in 2005. Features of the home include central air conditioning and a 240 square foot garage. The property has a 4,817 square foot site and is located in Plano, Little Rock 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 from .7 of a mile to 1-mile from the subject property. The comparables consist of one-story frame dwellings that contain either 894 or 934 square feet of living area. The appellant did not report the ages of the subject or the comparables, but two of the homes feature central air conditioning and each has a one-car garage. One of the comparables also has a fireplace. The properties sold between May 2012 and December 2013 for prices ranging from \$37,000 to \$38,250 or from \$39.61 to \$42.79 per square foot of living area, including land.

Based on this evidence, the appellant requested a total assessment of \$12,699 which would reflect a market value of approximately \$38,097 or \$42.61 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 \$16,833. The subject's assessment reflects a market value of \$50,519 or \$56.51 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. Each of the comparables is the "same model" as the subject dwelling and located within ½ of a mile of the subject. The comparables consist of one-story frame or brick and frame dwellings that were built in 2005 or 2006. The homes contain 894 square feet of living area and feature central air conditioning and a 240 square foot garage. The properties sold between November 2012 and February 2013 for prices ranging from \$45,000 to \$62,900 or from \$50.34 to \$70.36 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 appellant's comparables #1 and #3 as these dwellings differ in size and/or air conditioning and fireplace feature when compared to the subject dwelling.

The Board finds the best evidence of market value to be appellant's comparable sale #2 along with the board of review comparable sales. Each of these homes contains 894 square feet of living area like the subject and has central air conditioning and a one-car garage like the subject. These most similar comparables sold between May 2012 and February 2013 for prices ranging from \$38,100 to \$62,900 or from \$42.62 to \$70.36 per square foot of living area, including land. The subject's assessment reflects a market value of \$50,519 or \$56.51 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. 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.