



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

APPELLANT: Tirell, LLC  
DOCKET NO.: 14-00787.001-R-1  
PARCEL NO.: 11-04-26-210-015-0000

The parties of record before the Property Tax Appeal Board are Tirell, LLC, the appellant, by attorney Dennis M. Nolan, of Dennis M. Nolan, P.C. in Bartlett, and the Will County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **No Change** in the assessment of the property as established by the **Will** County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$9,832  
**IMPR.:** \$23,422  
**TOTAL:** \$33,254

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Will County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2014 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 construction with 1,368 square feet of living area. The dwelling was constructed in 1961. Features of the home include a concrete slab foundation, central air conditioning and a fireplace. The property is located in Lockport, Lockport Township, Will County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted limited evidence disclosing the subject property was purchased on March 29, 2013 for a price of \$85,000. The appellant partially completed Section IV – Recent Sale Data of the appeal petition reporting the purchase price and date along with the assertion that the parties were not related and that a realtor was involved in the sale. However, no realtor name, agent name, manner of advertising or length of time of advertising/exposure on the open market were provided as requested in Section IV. A copy of the Settlement statement reiterated the purchase

price and date along with displaying the payment of brokers' fees to two parties. A copy of the PTAX-203 Illinois Real Estate Transfer Declaration also reflected that the property was advertised before it was sold. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$33,254. The subject's assessment reflects a market value of \$100,072 or \$73.15 per square foot of living area, land included, when using the 2014 three year average median level of assessment for Will County of 33.23% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information prepared by the township assessor on three comparable sales located in three different neighborhoods when compared to the subject. The comparables consist of one-story frame, stone or frame and brick dwellings that were built between 1938 and 1960. The homes range in size from 803 to 960 square feet of living area and feature slab or crawl-space foundations. One comparable has central air conditioning and one has a fireplace. The properties sold between February 2013 and December 2013 for prices ranging from \$99,000 to \$125,000 or from \$117.30 to \$140.10 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 Board gave little weight to the subject's sale due to the fact the appellant did not establish the sale had the elements of an arm's length transaction. The appellant submitted a copy of the PTAX-203 Illinois Real Estate Transfer Declaration which was marked that the property was advertised before the sale, but there was still no evidence as to how long it may have been advertised. Furthermore, the sale price does not appear to reflect its market value as there was no evidence that the subject was in poor condition as of the assessment date.

The Board finds the best evidence of market value in the record to be board of review comparable sale #2 which is similar in age, design and some features to the subject dwelling. The Board has given little weight to board of review comparables #1 and #3 as these dwellings are both significantly older than the subject dwelling. The best comparable sale sold for \$125,000 or \$130.21 per square foot of living area, including land. The subject's assessment reflects a market value of \$100,072 or \$73.15 per square foot of living area, including land, which is below the best comparable sale in this record and appears justified given the larger size of the subject dwelling. Accepted real estate valuation theory provides that all factors being equal, as the size of the property increases, the per unit value decreases. In contrast, as the size of a property decreases, the per unit value increases. Based on this record the Board finds the

subject's assessment is reflective of market value 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.



Chairman



Member



Member

Member



Acting Member

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

CERTIFICATION

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 23, 2016



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.