



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

APPELLANT: Tirell, LLC  
DOCKET NO.: 14-00800.001-R-1  
PARCEL NO.: 11-04-06-411-020-0000

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:** \$13,032  
**IMPR.:** \$30,470  
**TOTAL:** \$43,502

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 two-story dwelling<sup>1</sup> of frame construction with 1,218 square feet of living area. The dwelling was constructed in 1995. Features of the home include a full basement, central air conditioning and an attached 399 square foot garage. The property is located in Plainfield, Lockport Township, Will County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on October 26, 2012 for a price of \$99,500. 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, the property was sold by Monica Ortiz and that a realtor was involved in the sale. However, no realtor name, agent name, manner of advertising or length of time of

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<sup>1</sup> The assessing officials reported the model name as "Barclay" but the schematic drawing depicts a two-story home.

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 \$43,502. The subject's assessment reflects a market value of \$130,912 or \$107.48 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 through the township assessor submitted information on three comparable sales of properties located in the same neighborhood as the subject property. The comparables consist of two-story frame dwellings that were built in 1995. The homes contain either 1,218 or 1,446 square feet of living area. Two of the comparables have basements and each has central air conditioning along with a 380 or 399 square foot garage. The properties sold between February 2014 and September 2014 for prices ranging from \$150,000 to \$163,000 or from \$103.73 to \$125.62 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**

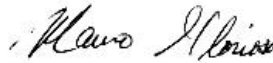
The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist 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 as there was no demonstrative evidence that it was advertised or exposed on the open market and/or how long it was so advertised. The Board has also given reduced weight to board of review comparable #2 which has a concrete slab foundation rather than the basement foundation that is a feature of the subject dwelling.

The Board finds the best evidence of market value in the record to be comparable sales #1 and #3 submitted by the board of review. These comparables were similar to the subject in location, style, construction, features and/or age. These properties also sold proximate in time to the assessment date at issue. The comparables sold in May 2014 and September 2014 for prices of \$150,000 and \$153,000 or for \$103.73 and \$125.62 per square foot of living area, including land. The subject's assessment reflects a market value of \$130,912 or \$107.48 per square foot of living area, including land, which is below the best comparable sales in this record in terms of overall value and within the range on a per-square-foot basis. Based on this record the Board finds the

appellant failed to establish that the subject's assessment is excessive based on its market value and thus, the Board finds no reduction in the subject's assessment is warranted.

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.