



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

APPELLANT: Michael Hasemann
DOCKET NO.: 14-01044.001-R-1
PARCEL NO.: 21-14-21-126-007-0000

The parties of record before the Property Tax Appeal Board are Michael Hasemann, the appellant,¹ 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: \$8,643
IMPR.: \$34,380
TOTAL: \$43,023

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 part split-level and part one-story dwelling of frame construction with 2,216 square feet of living area. The dwelling was constructed in 1996. Features of the home include a finished lower level, a partial basement, central air conditioning, a fireplace and a 475 square foot garage. The property has a 10,451 square foot site and is located in Monee, Monee 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 July 26, 2012 for a price of \$65,957. The appellant completed portions of Section IV – Recent Sale Data reporting the property was sold by HUD, the parties were not related, and a Realtor was involved with a listing on the Multiple Listing Service for a period of 123 days. In further support a copy of the Settlement Statement was submitted; the document did not reflect the payment of any brokers'

¹ Attorney Jerri K. Bush withdrew her appearance as counsel for the appeal by a filing dated March 21, 2016.

fees. The Multiple Listing Service data sheet for the property set forth the property was available for cash financing with an original asking price of \$140,000 which was reduced to \$112,000 before the property sold. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the stated purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$43,023. The subject's assessment reflects a market value of \$129,470 or \$58.43 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 response to the appeal, the board of review submitted a memorandum and data prepared by the Monee Township Assessor's Office. The assessor contended that the Settlement Statement related to the subject's sale transaction reflects a purchase price of \$65,957 and "a loan in progress and settlement charges of \$11,748." The assessor also contended the principal amount of a new loan would be \$87,000. Additionally, the subject sold via Special Warranty Deed and was sold by a financial institution or government agency.

In support of its contention of the correct assessment the board of review through the township assessor submitted information on three comparable sales. The comparables consist of part split-level and part one-story frame dwellings that were 16 or 18 years old. The homes range in size from 2,082 to 2,222 square feet of living area and feature finished lower levels, basements, central air conditioning and a garage ranging in size from 432 to 480 square feet of building area. Two of the comparables each have a fireplace. The properties sold between April 2012 and September 2013 for prices of \$155,000 or \$163,500 or from \$71.33 to \$74.45 per square foot of living area, including land.

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

In written rebuttal, former counsel for the appellant reiterated that the subject property was purchased after being exposed on the open market for 123 days.

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 warranted.

The Property Tax Appeal Board gave little weight to the subject's sale that occurred in July 2012 due to the fact the sale did not occur proximate in time to the assessment date at issue of January 1, 2014. Similarly, the Board has given reduced weight to board of review comparable sale #3 that occurred in April 2012 as the sale was not proximate in time to the assessment date.

The Board finds the best evidence of market value in the record to be comparable sales #1 and #2 submitted by the board of review. These comparables were similar to the subject in location, style, construction, features, age and/or land area. These properties also sold more proximate in time to the assessment date at issue in March and September 2013. The comparables sold for prices of \$155,000 and \$163,500 or for \$71.33 and \$73.58 per square foot of living area, including land. The subject's assessment reflects a market value of \$129,470 or \$58.43 per square foot of living area, including land, which is below the best comparable sales in this record. Based on this record the Board finds the subject property is not overvalued and a reduction in the subject's assessment is not 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.