



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

APPELLANT: Gary Moberly
DOCKET NO.: 14-01086.001-R-1
PARCEL NO.: 21-14-13-407-017-0000

The parties of record before the Property Tax Appeal Board are Gary Moberly, the appellant; 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: \$ 4,441
IMPR.: \$26,931
TOTAL: \$31,372

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 split-level style dwelling of frame exterior construction that has 2,015 square feet of living area. The dwelling was constructed in 1975. Features include a partial finished lower-level, central air conditioning, a fireplace and a 225 square foot detached garage. The subject has an 8,505 square foot site. The subject property is located in Monee Township, Will County, Illinois.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted a "Property Tax Analysis" of eight comparable sales. Neither the name nor the professional credentials of the person(s) who prepared the report was disclosed. The comparables are located from .28 to .86 of a mile from the subject. The comparables consist of split-level style dwellings of unknown exterior construction that were built from 1970 to 1975. Features had varying degrees of similarity when compared to the subject. The dwellings range in size from 1,660 to 2,357 square

feet of living area, however, their land sizes were not disclosed. The comparables sold from November 2013 to August 2014 for prices ranging from \$15,974 to \$43,900 or from \$7.74 to \$20.32 per square foot of living area including land. The analysis included "Property Equalization Values" (adjustments) to the comparables for differences when compared to the subject. No foundational evidence or explanation pertaining to the calculation of the adjustment amounts was provided. Based on the Property Equalization Values, the analysis conveys a value estimate for the subject property of \$36,322. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$31,372. The subject's assessment reflects an estimated market value of \$94,409 or \$46.85 per square foot of living area including land when applying the 2014 three-year average median level of assessment for Will County of 33.23%. In support of the subject's assessment, the board of review submitted an analysis of three comparable sales located in the same community as the subject.

The comparables consist of split-level style dwellings of frame exterior construction that were built in 1975 or 1980. Features had varying degrees of similarity when compared to the subject. The dwellings range in size from 1,913 to 2,367 square feet of living area and are situated on sites that contain from 7,265 to 7,919 square feet of land area. The comparables sold from November 2012 to May 2014 for prices ranging from \$95,900 to \$115,000 or from \$47.74 to \$50.26 per square foot of living area including land.

The board of review's evidence disclosed appellant's comparables #2 and #6 had resold. Comparable #2 resold in July 2014 for \$111,000 or \$60.99 per square foot of living area including land. Comparable #6 resold in May 2014 for \$117,500 or \$70.78 per square foot of living area including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Under rebuttal, the appellant argued the proximity of the board of review's comparables was not disclosed as required by section 1910.63(c) of the Board's rules. (86 Ill.Admin.Code §1910.63(c)).

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.

The parties submitted 11 comparable sales for the Board's consideration. Two comparables had sold twice. The Board gave less weight to comparable #1 submitted by appellant. The Board finds this sale, without any further explanation, is an outlier due to its considerably lower sale price in relation to the other comparable sales contained in the record. The Board gave less weight to comparable #2 submitted by the board of review due to its 2012 sale date, which is less

proximate in time in relation to the subject's January 1, 2014 assessment date. The Board finds the remaining nine comparables were relatively similar when compared to the subject in location, design, exterior construction, age, dwelling size and features¹. They sold for wide ranging prices from \$23,289 to \$117,500 or from \$9.88 to \$70.78 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$94,409 or \$46.85 per square foot of living area including land, which falls within the range established by the most similar comparable sales contained in this record. After considering any necessary adjustments to the comparables for differences when compared to the subject, the Board finds the subject's assessment is supported. Therefore, no reduction in the subject's assessment is warranted.

¹ The appellant did not disclose the comparables' exterior construction or land size, while the board of review did not provide the proximate location of its comparable, these properties were located in the same community as the subject.

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: March 24, 2017



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.