



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

APPELLANT: Joseph Beno
DOCKET NO.: 14-01114.001-R-1
PARCEL NO.: 11-04-32-412-001-0000

The parties of record before the Property Tax Appeal Board are Joseph Beno, 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: \$ 9,754
IMPR.: \$18,560
TOTAL: \$28,314

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 frame dwelling that has 816 square feet of living area. The dwelling was built in 1955. Features include central air conditioning and a 576 square foot garage. The subject has a 7,723 square foot lot. The subject property is located in Lockport 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 information pertaining to the sale of the subject property. The appellant's appeal petition indicates the subject property sold in February 2012 for \$41,100. The appeal petition revealed the subject property was sold by Fannie Mae; the property was advertised for sale; and the parties to the transaction were not related. The appellant submitted the settlement statement and Multiple Listing Service sheet associated with the sale of the subject property.

In further support of the overvaluation argument, the appellant submitted a list of eight suggested comparable sales along with their Multiple Listing Service sheets.¹ The comparables are located in the subject's subdivision. The comparables consist of one-story dwellings of frame exterior construction that were built from 1953 to 1955. Features had varying degrees of similarity when compared to the subject. The dwellings range in size from 816 to 1,296 square feet of living area and are situated on sites that contain from 7,320 to 10,320 square feet of land area. The comparables sold from February 2013 to December 2014 for prices ranging from \$47,000 to \$60,000 or from \$37.81 to \$67.40 per square foot of living area including land. 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 \$28,314. The subject's assessment reflects an estimated market value of \$85,206 or \$104.42 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 a six comparable sales located in the same subdivision as the subject. The evidence was prepared by the township assessor. The comparables consist of one-story dwellings of frame exterior construction that were built in 1954 or 1955. Features had varying degrees of similarity when compared to the subject. The dwellings range in size from 816 to 1,014 square feet of living area and are situated on sites that contain from 6,300 to 9,100 square feet of land area. The comparables sold from July 2013 to July 2014 for prices ranging from \$93,500 to \$111,000 or from \$93.69 to \$128.47 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 failed to meet this burden of proof and no reduction in the subject's assessment is warranted.

The Board gave less weight to the subject's 2012 sale price. The subject's sale occurred one year and ten months prior to the subject's January 1, 2014 assessment date. The Board finds the subject's sale is dated and not representative of market value.

The parties submitted 14 suggested comparable sales for the Board's consideration. The Board gave less weight to the comparable sales submitted by the appellant. All the comparables were foreclosures or short sales. The Board finds these sales have overall low sale prices that do not appear to mimic market conditions in consideration of the typical arm's-length transactions that were submitted by the board of review. Moreover, a review of the Multiple Listing Service sheets associated with these sales shows many of the properties were in need of repair. Many were sold in "as-is" condition and/or described as "needs work" or "fixer upper."

¹ The board of review submitted a detailed descriptive grid analysis of the appellant's comparable sales.

The Board finds the comparable sales submitted by the board of review are more similar to the subject in location, land area, design, age, dwelling size, features and better represent market conditions as of the assessment date. The comparables sold from July 2013 to July 2014 for prices ranging from \$93,500 to \$111,000 or from \$93.69 to \$128.47 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$85,206 or \$104.42 per square foot of living area including land, which is less than these similar comparables on an overall basis and within the range on a per square foot basis. After considering any necessary adjustments to the comparables for any 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.

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.