



FINAL ADMINISTRATIVE DECISION ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: David Janzen
DOCKET NO.: 14-01140.001-R-1
PARCEL NO.: 30-07-01-300-012-0000

The parties of record before the Property Tax Appeal Board are David Janzen, 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 **A Reduction** 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:	\$1,500
IMPR.:	\$4,800
TOTAL:	\$6,300

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 is improved with a one-story dwelling of frame construction with 576 square feet of living area. The dwelling was constructed in 1947. Features of the home include a slab foundation and a one-car attached garage with 320 square feet of building area. The property has a 6,534 square foot site and is located in Joliet, Joliet Township, Will County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant disclosed the subject property was purchased in October 2013 for a price of \$10,500. The appellant indicated the subject property was sold by the owner but provided no information with respect whether the property had been advertised for sale and/or the length of time the property was advertised on the open market.

The appellant also provided information on eight comparable sales improved with one-story dwellings ranging in size from 528 to 720 square feet of living area.¹ The dwellings were constructed from 1915 to 1948. Five of the comparables had full basements and five comparables had garages ranging in size from 180 to 440 square feet of building area. The sales occurred from May 2013 to October 2014 for prices ranging from \$12,000 to \$28,000 or from \$21.43 to \$42.23 per square foot of living area, including land. The analysis provided by the appellant had adjustments to the comparables for differences from the subject property to arrive at adjusted prices ranging from \$10,151 to \$28,857. Based on this analysis the appellant requested the subject's assessment be reduced to \$3,500.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$15,750. The subject's assessment reflects a market value of \$47,397 or \$82.29 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 on four comparable sales identified by the township assessor. The comparables were improved with one-story dwellings of frame or brick construction that ranged in size from 680 to 1,482 square feet of living area. The dwellings ranged in age from 23 to 95 years old. Each comparable has a full basement, two comparables have central air conditioning and three comparables have garages ranging in size from 400 to 1,728 square feet of building area. The comparables have sites ranging in size from 6,098 to 32,670 square feet of land area. The comparables sold from January 2012 to October 2014 for prices ranging from \$49,000 to \$126,000 or from \$72.06 to \$87.81 per square foot of living area, including land.

The board of review submission included a copy of the PTAX-203 Illinois Real Estate Transfer Declaration associated with the subject's sale which stated the property was not advertised for sale. The board of review also submitted copies of the PTAX-203 Illinois Real Estate Transfer Declaration associated with appellant's comparable sales #2, #4, #5, #6, #7 and #9. The transfer declarations disclosed: appellant's #2 was between related individuals or corporate affiliates; sale #5 was described as a Bank REO (real estate owned); sale #6 was identified as a court-ordered sale/auction sale; sale #7 was described as a Bank REO (real estate owned); and sale #9 was described as a Bank REO (real estate owned).

The board of review requested the subject's assessment be confirmed.

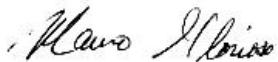
Conclusion of Law

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 met this burden of proof and a reduction in the subject's assessment is warranted.

¹ Appellant's comparable sale #1 was the sale of the subject property.

The Board finds the best evidence of market value to be appellant's comparable sales #3, #4 and #5. These comparables were relatively similar to the subject in age, size and features. These properties sold for prices ranging from \$16,500 to \$24,000 or from \$27.50 to \$33.33 per square foot of living area, including land. The subject's assessment reflects a market value of \$47,397 or \$82.29 per square foot of living area, including land, which is above the range established by the best comparable sales in this record. Little weight was given the sale of the subject property as the appellant failed to provide evidence establishing that the property sold in an arm's length transaction. Furthermore, the board of review submitted a copy of the PTAX-203 Illinois Real Estate Transfer Declaration associated with the subject's sale which stated the property was not advertised for sale. The Board gave little weight to appellant's sale #2 as the transfer declaration disclosed the sale was between related individuals or corporate affiliates. Less weight was given appellant's sales #5 through #9 as each of these properties had a full basement while the subject has a slab foundation. Less weight was given the sales provided by the board of review as these properties were clearly superior to the subject in features as each comparable had a basement, two comparables had central air conditioning, three comparables each had a larger garage and two comparables had larger sites than the subject property. Furthermore, board of review sale #1 was not similar to the subject in size; board of review sale #2 was not similar to the subject in size and age; and board of review comparable #3 sold in January 2012 which is not proximate in time to the assessment date at issue. Based on this evidence the Board finds a reduction in the subject's assessment is 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:

C E R T I F I C A T I O N

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.