



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

APPELLANT: Roger E. & Colleen M. Jage
DOCKET NO.: 14-01146.001-R-1
PARCEL NO.: 14-12-16-101-031-0000

The parties of record before the Property Tax Appeal Board are Roger E. & Colleen M. Jage, the appellants; 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: \$15,750
IMPR.: \$69,250
TOTAL: \$85,000

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 frame dwelling that has 3,470 square feet of living area. The dwelling was built in 2008. The home has an unfinished basement, central air conditioning, a fireplace and an 848 square foot garage. The subject has an 11,979 square foot lot. The subject property is located in Manhattan Township, Will County, Illinois.

The appellants submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellants submitted information pertaining to the sale of the subject property. The appellants' appeal petition indicates the subject property sold in December 2012 for \$248,000. The appeal petition revealed the subject property was advertised for sale and the parties to the transaction were not related. The appellants submitted the settlement statement associated with the sale of the subject property.

In further support of the overvaluation argument, the appellants submitted a "Property Tax Analysis" of six comparable sales. However, comparable sale #1 was the subject property. Neither the name nor the professional credentials of the person(s) who prepared the analysis was disclosed. The other five comparables are located from .67 to .98 of a mile from the subject property. The comparables consist of two-story dwellings of unknown exterior construction that were built from 2003 to 2008. Features had varying degrees of similarity when compared to the subject. The dwellings range in size from 3,000 to 3,607 square feet of living area. Their land sizes were not disclosed. The comparables sold from December 2012 to September 2013 for prices ranging from \$165,000 to \$229,900 or from \$52.65 to \$74.59 per square foot of living area including land. The analysis included "Property Equalization Values" (adjustments) to the comparables for some 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 \$248,000 or \$71.47 per square foot of living area including land. Based on this evidence, the appellants 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 \$93,050. The subject's assessment reflects an estimated market value of \$280,018 or \$80.70 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 four comparable sales purportedly located "less than .5 mile" from the subject. None of the comparables are located in the same neighborhood as the subject. The evidence was prepared by the township assessor. The comparables consist of two-story dwellings of frame or masonry exterior construction that were 9 or 11 years old. Features had varying degrees of similarity when compared to the subject. The dwellings range in size from 3,010 to 3,620 square feet of living area and are situated on sites that contain from 8,124 to 15,072 square feet of land area. The comparables sold from January 2012 to July 2014 for prices ranging from \$254,000 to \$276,000 or from \$76.24 to \$86.38 per square foot of living area including land.

With respect to the appellants' evidence, the township assessor asserted that none of the five comparables sales have "Market Value Sales" pursuant to their Real Estate Transfer Declarations. The Real Estate Transfer Declarations show the comparables were short sales, REO or sold with a warranty deed or special warranty deed. The assessor argued comparable #6 has 2,529 square feet of living area as depicted on its property record card rather than 3,082 square feet listed in the grid analysis. The assessor asserted the subject's 2012 sale is not considered recent for the 2014 economy where prices have been rising.¹ Based on this evidence, the board of review requested confirmation of the subject's assessment.

Under rebuttal, the appellants submitted maps depicting the proximate location of both parties' comparables in relation to the subject. This evidence indicates board of review comparables #1 through #3 are located from 1.52 to 1.63 miles from the subject. The appellants acknowledged some of their comparables may be foreclosures, but section 16-183 of the Property Tax Code (35

¹ The Board finds comparable #4 selected by the assessor sold in December, 2012 like the subject.

ILCS 200/16-183) requires the Property Tax Appeal Board consider compulsory sales of comparable properties for purposes of revising and correcting assessments.

Conclusion of Law

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

The parties submitted nine suggested comparable sales for the Board's consideration. The Board gave less weight to comparable sales #1 through #3 submitted by the board of review. These properties are located from 1.52 to 1.63 miles and in different subdivisions than the subject. Similarly, the Board gave less weight to comparables #2 and #4 submitted by the appellants due to their distant location .93 and .98 of a mile from the subject. Additionally, comparable #6 is considerably smaller in dwelling size when compared to the subject. The Board finds the three remaining comparable sales are more similar when compared to the subject in location, design, age, dwelling size and features. These comparables sold from January 2012 to September 2013 for prices ranging from \$189,000 to \$254,000 or from \$54.62 to \$83.97 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$280,018 or \$80.70 per square foot of living area including land, which falls above the range established by the most similar comparables contained in the record on an overall basis, but within the range on a on a per square foot basis. After considering any necessary adjustments to the comparables for any differences when compared to the subject, as well as placing some weight on the subject's December 2012 sale price of \$248,000, the Board finds the subject's assessment is excessive. Therefore, 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: _____

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.