



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

APPELLANT: Matthew A. Seddon
DOCKET NO.: 14-01147.001-R-1
PARCEL NO.: 14-12-17-415-008-0000

The parties of record before the Property Tax Appeal Board are Matthew A. Seddon, 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: \$15,750
IMPR.: \$37,611
TOTAL: \$53,361

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 and brick construction with 2,049 square feet of living area. The dwelling was constructed in 2007. Features of the home include an unfinished basement, central air conditioning and a two-car attached garage with 451 square feet of building area. The property has a 10,193 square foot site and is located in Manhattan, Manhattan 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 February 27, 2013 for a price of \$160,100. The appellant indicated the subject property was sold by the Federal National Mortgage Association. The appellant also indicated the property was sold through a Realtor, the property had been advertised in the Multiple Listing Service (MLS) and had been on the market for 108 days. To document the sale the appellant provided a copy of the settlement statement disclosing the property sold for a price of \$160,100, a copy of the MLS listing for the subject

property and a copy of the Listing & Property History Report. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$70,650. The subject's assessment reflects a market value of \$212,609 or \$103.76 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 three comparable sales identified by the township assessor that were improved one-story dwellings of frame construction that ranged in size from 1,685 to 2,109 square feet of living area. Each comparable has a basement with one being partially finished, central air conditioning and a garage ranging in size from 451 to 545 square feet of building area. Two of the comparables have one fireplace. The comparables are located in different subdivisions than the subject property. The sales occurred from April 2012 to November 2013 for prices of \$209,000 and \$226,500 or from \$99.10 to \$134.42 per square foot of living area, including land.

The board of review also provided a statement from the Manhattan Township Assessor's Office asserting the subject property is located in a special service area (SSA) called Brookstone Springs where bonds have been issued to construct public infrastructure. The property owners are required to pay the SSA tax to retire bonds. The township assessor asserts the price of the property is understated by the amount of the prepayment voucher of \$24,828.40 for the balance of the special tax.

The appellant submitted rebuttal comments asserting the sale of the subject property was the best evidence of market value. The appellant also commented on the assessor's assertion that the SSA tax should be considered in adjusting the subject's purchase price. The appellant also contends board of review sale #1 did not sale proximate in time to the assessment date and should not be considered.

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.

The Board finds the best evidence of market value to be the purchase of the subject property in February 2013 for a price of \$160,100. The appellant provided evidence demonstrating the sale had elements of an arm's length transaction. The appellant completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, the property was sold using a Realtor, the property had been advertised on the open market with the Multiple Listing Service and it had been on the market for 108 days. In further support of the transaction the appellant submitted a copy of the settlement statement, a copy of the MLS listing and a copy of

the Listing & Property History Report. The board of review also provided a copy of the PTAX-203 Illinois Real Estate Transfer Declaration associated with the subject's transaction noting the subject property had been advertised for sale. The Board finds the purchase price is below the market value reflected by the assessment. The Board finds the board of review evidence did not challenge the arm's length nature of the transaction. Furthermore, the Board finds the board of review did not demonstrate the sales it submitted were subjected to the same SSA as the subject property. The Board finds the fact the subject property is located in an SSA requiring the owner to pay additional taxes relative to properties not located in an SSA would have a negative impact on the subject's market value relative to those properties, all other things being equal. Based on this record the Board finds a reduction in the subject's assessment is appropriate.

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



Acting Member

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: _____

April 21, 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.