



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

APPELLANT: Vicki L. Rooney
DOCKET NO.: 14-01148.001-R-1
PARCEL NO.: 14-12-20-220-030-0000

The parties of record before the Property Tax Appeal Board are Vicki L. Rooney, 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: \$14,300
IMPR.: \$2,370
TOTAL: \$16,670

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 part two-story and part one-story single family dwelling of frame construction with 1,630 square feet of living area. The dwelling was constructed in 1900. Features of the property include a partial basement and a detached garage with 496 square feet of building area. The property has a 9,714 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 April 19, 2013 for a price of \$30,000. The seller was identified as Synergy Property Holdings, LLC and the appellant indicated the parties to the transaction were not related. The appellant also indicated the property was sold through a Realtor and had been listed in the Multiple Listing Service for 46 days. To document the sale the appellant submitted a copy of the settlement statement, a copy of the

subject's MLS listing and a copy of the Listing & Property History Report. Based on this evidence, the appellant requested the subject's assessment be reduced to \$9,999.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$26,250. The subject's assessment reflects a market value of \$78,995 or \$48.46 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.

The board of review submitted a written statement from the Manhattan Township Assessor's Office indicating the subject property had been involved in a foreclosure and provided a copy of a Sheriff's Deed transferring the property to Synergy Property Holding, LLC. The board of review also submitted a copy of the PTAX-203 Illinois Real Estate Transfer Declaration documenting the April 2013 sale of the subject property for \$30,000. The transfer declaration indicated the property had been advertised for sale.

To support the assessment the board of review provided information on four comparable sales improved with two-story dwellings of frame construction that ranged in size from 1,400 to 1,848 square feet of living area. The dwellings ranged in age from 115 to 124 years old. Each comparable had a basement, one comparable had central air conditioning and each comparable had a detached garage. The sales occurred from October 2013 to January 2014 for prices ranging from \$79,200 to \$185,400 or from \$42.86 to \$118.85 per square foot of living area, including land.

The board of review requested no change to the subject's assessment.

In rebuttal the appellant asserted that the board of review failed to disclose the proximity of the comparable sales to the subject property. The appellant also asserted that board of review comparable sales #1 and #3 were not listed on the open market and comparable #2 has a three-car garage.

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 evidence in the record supports a reduction in the subject's assessment.

The evidence disclosed that the subject property was purchased in April 2013 for \$30,000 or \$18.40 per square foot of living area, including land. The evidence disclosed the property had been listed on the open market and the parties to the transaction were not related. The MLS listing sheet also indicated that the property was bank owned and in need of some work. The Board finds some weight should be given the sale of the subject property.

The board of review provided four sales that had varying degrees of similarity to the subject property. These properties sold for prices ranging from \$79,200 to \$185,400 or from \$42.86 to \$118.85 per square foot of living area, including land. There was some issue with respect to whether or not comparable sales #1 and #3 were arm's length transactions as the property record card associated with sale #1 indicated the parties were related and the property record card associated with sale #3 indicated the sale was not valid but did not explain the basis for that conclusion. Nevertheless, the board of review sales occurred more proximate in time to the assessment date at issue and tend to demonstrate the subject's purchase price was not indicative of fair cash value as of the assessment date.

After considering the sale of the subject property and the sales provided by the board of review, the Property Tax Appeal 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



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.