



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

APPELLANT: Charles Ward
DOCKET NO.: 14-01383.001-R-1
PARCEL NO.: 22-22-16-210-051-0000

The parties of record before the Property Tax Appeal Board are Charles Ward, 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: \$12,312
IMPR.: \$44,349
TOTAL: \$56,661

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 two-story dwelling of brick and frame exterior construction with 3,156 square feet of living area. The dwelling was constructed in 2005. Features of the home include a basement, central air conditioning, and a 881 square foot garage. The property has a 9,167 square foot site and is located in Beecher, Washington Township, Will County.

The appellant argued that the fair market value of the subject is not accurately reflected in its assessed value as the basis for this appeal. The appellant contends the subject's recent sale best reflected the subject's market value. The appellant provided evidence that the subject property sold on November 21, 2013, for a price of \$170,000 and the property had been advertised for sale for 141 days as set forth in Section IV-Recent Sale Data of the appeal petition. To document the sale, the appellant submitted a copy of the Settlement Statement and the Multiple Listing Service sheet. Based on this evidence, the appellant requested the total assessment be reduced to \$56,661.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's final assessment of \$77,899. The subject's assessment reflects an estimated market value of \$234,424 or \$74.28 per square foot of living area including land when applying Will County's 2014 three-year average median level of assessment of 33.23% as determined by the Illinois Department of Revenue. 86 Ill.Admin.Code §1910.50(c)(1).

In support of the subject's assessment, the board of review submitted information on four comparable sales located in the same neighborhood as the subject property. The comparables consist of two-story dwellings that were constructed from 2003 to 2006. The dwellings had features with varying degrees of similarity when compared to the subject. The dwellings range in size from 2,357 to 2,873 square feet of living area and are situated on sites that contain from 8,925 to 9,298 square feet of land area. The comparables sold from December 2012 to August 2014 for prices ranging from \$200,000 to \$228,000 or from \$77.97 to \$90.66 per square foot of living area including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Former counsel for the appellant provided a written rebuttal critiquing the board of review's evidence or submission.

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 November 2013 for a price of \$170,000. The appellant provided evidence demonstrating the sale had the 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 Board finds the purchase price is below the market value reflected by the assessment. The Board finds the board of review did not present any evidence to challenge the arm's length nature of the transaction or to refute the contention that the purchase price was reflective of market value. The Board gave less weight to the board of review's comparables #1, #3 and #4 due to their smaller dwelling size when compared to the subject property. The Board also gave less weight to the remaining comparable submitted by the board of review due to the fact that one comparable does not overcome the subject's arm-length sale price. Based on this record the Board finds the appellant did demonstrate by a preponderance of the evidence that the subject was overvalued and 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

Acting 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: June 23, 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.