



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

APPELLANT: Olga Arrendondo
DOCKET NO.: 14-01906.001-R-1
PARCEL NO.: 30-07-22-414-010-0000

The parties of record before the Property Tax Appeal Board are Olga Arrendondo, 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: \$9,450
IMPR.: \$18,050
TOTAL: \$27,500

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 single family dwelling of brick construction with 1,276 square feet of living area. The dwelling was constructed in 1974. Features of the home include a crawl space foundation, central air conditioning and a two-car attached garage with 420 square feet of building area. The property has a 20,473 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 submitted information on eight comparable sales. In support of this argument the appellant submitted information on eight comparable sales improved with six one-story style dwellings and two split-level style dwellings. The appellant indicated the dwellings ranged in size from 1,200 to 2,832 square feet of living area. The dwellings were constructed from 1957 to 2008. Five comparables have basements, five comparables have central air conditioning, six comparables each have one or two fireplaces, seven of the comparables have either an attached

or detached two-car garage, one comparable has a carport and one comparable has an additional one-car attached garage. These properties sold from February 2013 to June 2014 for prices ranging from \$30,000 to \$99,000 or from approximately \$21.70 to \$75.00 per square foot of living area, including land.

The appellant's submission also included a copy of a portion of Public Act 096-1083, which added section 1-23 to the Property Tax Code (35 ILCS 200/1-23) defining compulsory sales and amended section 16-55 of the Property Tax Code (35 ILCS 200/16-55) providing in part that the board of review shall include compulsory sales in reviewing and correcting assessments. The appellant contends the Will County Board of Review failed to use these provisions of the Property Tax Code. The appellant asserted that most properties in the subject's neighborhood, Sugar Creek, are arm's length short sales and foreclosures advertised by real estate agents in the Multiple Listing Service. Based on this evidence the appellant requested the subject's assessment be reduced to \$18,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$36,000. The subject's assessment reflects a market value of \$108,336 or \$84.90 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 construction that ranged in size from 1,236 to 1,716 square feet of living area. The dwellings were constructed from 1958 to 1979. Each comparable has an unfinished basement; three comparables have central air conditioning, each comparable has one fireplace and three comparables have garages ranging in size from 440 to 624 square feet of building area. These properties sold from May 2013 to November 2014 for prices ranging from \$108,000 to \$149,000 or from \$84.80 to \$92.55 per square foot of living area, including land. Board of review comparable sale #1, which sold in November 2014 for a price of \$128,000, was a subsequent sale of the property identified as appellant's comparable sale #1, which sold in June 2014 for a price of \$30,000.

The board of review also submitted a grid analysis of the appellant's comparable sales as well as copies of the property record cards for each of the appellant's comparables. The property record cards disclosed appellant's comparable #1 was sold by a financial institution; appellant's comparable #2 was sold by a government agency, the Federal National Mortgage Association; appellant's comparable #4 was sold by a financial institution; and appellant's comparable #6 was sold by a financial institution. The board of review evidence also disclosed that appellant's comparable sale #1 sold again in November 2014 for a price of \$128,000 or \$92.55 per square foot of living area, including land. The evidence provided by the board of review also indicated that appellant's comparable sale #5 had 1,516 square feet of living area rather than 1,600 square feet of living area as reported by the appellant and appellant's comparable sale #7 had 1,556 square feet of living area rather than 1,200 square feet of living area as reported by the appellant. The Property Tax Appeal Board finds the size of appellant's comparable sales #5 and #7 are better supported by the copies of the property record cards for the properties provided by the board of review, which included a schematic diagram with measurements for each dwelling.

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

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 record contains twelve sales submitted by the parties to support their respective positions. The Board gave less weight to appellant's sales #3 and #8 due to differences from the subject in style; less weight was given to appellant's sale #2 and #6 due to differences from the subject in size; and less weight was given to appellant's comparable sale #7 due to differences from the subject in age. The Board finds the best evidence of market value to be appellant's comparable sales #1, #4 and #5 as well as the comparable sales submitted by the board of review. The comparables were relatively similar to the subject in size and age; however, six of the properties were superior with basement foundations while the subject has a crawl space foundation. Furthermore, each of these comparables has one or two fireplaces while the subject property has no fireplace. These properties sold for prices ranging from \$30,000 to \$149,000 or from \$21.70 to \$92.55 per square foot of living area, including land. The Board further finds the evidence disclosed appellant's sale #1 was sold by a financial institution in June 2014 for a price of \$30,000 or \$21.70 per square foot of living area and sold again in November 2014 for a price of \$128,000 or \$92.55 per square foot of living area, calling into question the arm's length nature of the initial sale or whether significant renovations were performed between the two transactions. The subsequent sale of this property was used as board of review sale #1. The subject's assessment reflects a market value of \$108,336 or \$84.90 per square foot of living area, including land, which is at the high end of the range established by the best comparable sales in this record on a square foot basis. Considering the subject dwelling has no basement and no fireplace, making it inferior to these comparables in features, the Board finds that 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

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: October 21, 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.