



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

APPELLANT: Gary Myers
DOCKET NO.: 14-01999.001-R-1
PARCEL NO.: 02-05-456-019

The parties of record before the Property Tax Appeal Board are Gary Myers, the appellant, by attorney Franco A. Coladipietro, of Amari & Locallo in Bloomingdale; and the Kane County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **No Change** in the assessment of the property as established by the **Kane** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$24,547
IMPR.: \$138,806
TOTAL: \$163,353

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Kane 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 1.5-story dwelling of frame with brick trim exterior construction with 4,219 square feet of living area.¹ The dwelling is described as being an "Huron Model" and was built in 2000. Features of the home include a concrete slab foundation, central air conditioning, a fireplace and a three-car garage containing 715 square feet of building area. The property has a 14,767 square foot site and is located in Huntley, Rutland Township, Kane County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal of the subject property. The appraisal report conveyed an

¹ A large addition was added to the house in 2010 changing the description from a ranch style dwelling to a 1.5-story dwelling.

estimated market value of \$450,000 as of August 16, 2012, using the cost approach to value and the sales comparison approach to value.

Based on this information, the appellant requested the subject's assessment be reduced to \$149,985.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$163,353. The subject's assessment reflects a market value of \$490,697 or \$116.31 per square foot of living area, land included, when using the 2014 three-year average median level of assessment for Kane County of 33.29% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on nine comparable sales located within the same neighborhood code as assigned by the assessor as the subject property. The comparables have varying degrees of similarity and dissimilarity when compared to the subject. The comparables have sites ranging in size from .20 to .31 of an acre of land area. The dwellings range in size from 2,648 to 2,860 square feet of living area. The comparables sold from August 1999 to January 2014 for prices ranging from \$307,559 to \$633,689 or from \$118.88 to \$170.63 per square foot of living area, including land.

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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board gives the appraisal submitted by the appellant less weight based on the value conclusion dated August 16, 2012. The Board gives less weight to the board of review comparables #1, #2, #3, #4, #6 and #7. These sales occurred from August 1999 to August 2002, which are dated and less indicative of fair market value as of the January 1, 2014 assessment date. The Board finds the appraiser's comparables sold or are listed from \$108.37 to \$225.90 per square foot of living area, including land. These comparables are somewhat dated but support the subject's market value on a per square foot basis. The Board also finds that the board of review comparable sales # 5, #8 and #9 also support the subjects market value with comparables #5 and #8 selling more proximate in time to the January 1, 2014 assessment date. The board of review comparable sales range in price from \$138.11 to \$162.68 per square foot of living area, including land. The subject's assessment reflects a market value of \$116.31 per square foot of living area, including land, which is within the range established by the appraiser's comparable sales and below the range of the board of review's best sales in the record. After considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported. Therefore, no reduction in the subject's assessment is warranted.

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.