



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

APPELLANT: Araceli Velazquez Lopez
DOCKET NO.: 14-02007.001-R-1
PARCEL NO.: 02-03-264-018

The parties of record before the Property Tax Appeal Board are Araceli Velazquez Lopez, the appellant, and the Kendall County Board of Review.

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

LAND: \$9,354
IMPR.: \$71,251
TOTAL: \$80,605

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Kendall 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 two-story dwelling of frame construction with 3,058 square feet of living area. The dwelling was constructed in 2012. Features of the home include a full basement, central air conditioning and an integral garage with 650 square feet of building area. The property has a 10,262 square foot site and is located in Montgomery, Bristol Township, Kendall County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on six comparable sales improved with two-story dwellings that ranged in size from 3,143 to 3,404 square feet of living area. The dwellings were constructed from 2005 to 2007. These

properties sold from July 2013 to March 2014 for prices ranging from \$207,000 to \$237,000 or from \$65.86 to \$75.00 per square foot of living area, including land. The appellant's submission included adjustments to the sales described as "Property Equalizations" to arrive at equalized sale prices ranging from \$212,186 to \$234,805. The appellant requested the subject's assessment be reduced to reflect a market value of \$222,312.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$80,605. The subject's assessment reflects a market value of \$241,694 or \$79.04 per square foot of living area, land included, when using the 2014 three year average median level of assessment for Kendall County of 33.35% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted a copy of the subject's property record card disclosing the subject property was purchased in August 2012 for a price of \$244,750. In support of the assessment the board of review submitted information on four comparable sales improved with two-story dwellings of frame or brick and frame construction that ranged in size from 2,988 to 3,395 square feet of living area, including land. The dwellings ranged in age from two to seven years old. Each comparable had a basement, central air conditioning and a garage ranging in size from 603 to 629 square feet of building area. Three comparables each had one fireplace. The sales occurred from May 2013 to August 2014 for prices ranging from \$215,000 to \$275,000 or from \$63.68 to \$92.03 per square foot of living area, including land. Board of review comparable #2 sold again in March 2014 for a price of \$275,000 or for \$88.23 per square foot of living area, including land. The board of review submission also included an aerial photograph depicting the location of the subject property and the comparable sales used by the board of review.

In rebuttal the board of review stated it did not put any weight on the "Property Tax Analysis" submitted by the appellant because there was no signature or explanation as to how the adjustments were calculated.

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 finds the record contains eleven comparable sales, when considering the fact that board of comparable #2 sold twice,

submitted by the parties in support of their respective positions. The sales had varying degrees of similarity to the subject property and sold for prices ranging from \$207,000 to \$275,000 or from \$63.68 to \$92.03 per square foot of living area, including land. The subject's assessment reflects a market value of \$241,684 or \$79.04 per square foot of living area, including land, which is within the range established by the comparable sales in this record. Furthermore, the record disclosed the subject property was purchased in August 2012 for a price of \$244,750, which reflects a market value above the market value reflected by the subject's assessment. Based on this evidence the Board finds a reduction in the subject's assessment is not 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.

Mark Allison

Chairman

[Signature]

Member

Member

[Signature]

Member

Member

DISSENTING: _____

C E R T I F I C A T I O N

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: May 20, 2016

[Signature]

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.