



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

APPELLANT: Juan and Nohemi Hernandez
DOCKET NO.: 14-02418.001-R-1
PARCEL NO.: 03-11-452-002

The parties of record before the Property Tax Appeal Board are Juan and Nohemi Hernandez, the appellants, and the Grundy 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 **Grundy** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$11,150
IMPR.: \$45,183
TOTAL: \$56,333

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants timely filed the appeal from a decision of the Grundy 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 single-family dwelling of frame and brick exterior construction with 2,469 square feet of living area. The dwelling was constructed in 2012. Features of the home include a partial unfinished basement, central air conditioning and a 441 square foot garage. The property has a 9,660 square foot site and is located in Minooka, Aux Sable Township, Grundy County.

The appellants contend assessment inequity as the basis of the appeal concerning the subject's improvement assessment. No dispute was raised concerning the land assessment. In support of this inequity argument, the appellants submitted information on four equity comparables in the Section V grid analysis that were located within 1/8 of a mile from the subject property; these four comparables were repeated in a second chart and were identified as "original comparables submitted" along with a second chart of comparables numbered 1 through 8 entitled "additional comparables to support claim."

The "original" four comparables consist of two-story frame or frame and brick dwellings known as Stonewood, Jefferson or Westminster models that were 9 or 11 years old. The homes range in size from 2,720 to 3,028 square feet of living area and feature full or partial unfinished basements, central air conditioning and a two-car garage of ranging in size from 440 to 812 square feet of building area. Two of the comparables also have a fireplace. The properties have improvement assessments ranging from \$25,634 to \$32,828 or from \$8.79 to \$11.83 per square foot of living area for a reported average improvement assessment of \$10.45 per square foot of living area.

The "additional" eight comparables consist of Jefferson, Hartford, Lafayette, Woodfield or Oakwood model dwellings that range in size from 2,204 to 2,585 square feet of living area. No other descriptive details were provided by the appellants in the chart such as foundation, age, exterior construction or amenities. These properties have improvement assessments ranging from \$27,361 to \$36,784 or from \$12.41 to \$15.76 per square foot of living area or an average improvement assessment of \$13.67 per square foot of living area.

Based on this evidence, the appellants requested a reduced improvement assessment of \$31,109 or \$12.60 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$71,686. The subject property has an improvement assessment of \$60,536 or \$24.52 per square foot of living area.

In response to the appeal, the board of review submitted a letter from its Chairman who noted that the appellants used 11 different model home types and one of which was similar to the subject. The subject is an Oakwood-C model and there are very few Oakwood model C types, so other Oakwood models were used by the board of review.

In support of its contention of the correct assessment the board of review submitted information on three equity comparables located within a one block radius of the subject. Each comparable is an Oakwood model frame or frame and brick dwelling that was built between 2005 and 2013. The homes range in size from 2,455 to 2,476 square feet of living area. Each home has a partial basement, central air conditioning and a garage of either 399 or 441 square feet of building area. One of the comparables also has a fireplace. These comparables have improvement assessments ranging from \$44,924 to \$59,735 or from \$18.30 to \$24.13 per square foot of living area.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The taxpayers contend assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject

property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellants met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted a total of 15 equity comparables to support their respective positions before the Property Tax Appeal Board. On this limited record, the Board has given reduced weight to each of the appellants' comparables which differ in model type when compared to the subject, except additional comparable #8 which is an Oakwood model dwelling.

The Board finds the best evidence of assessment equity to be appellants' additional comparable #8 along with the board of review comparables. These four comparables had varying degrees of similarity to the subject, but each was an Oakwood model home and these properties have improvement assessments that ranged from \$15.76 to \$24.13 per square foot of living area. The subject's improvement assessment of \$24.52 per square foot of living area falls above the range established by the best comparables in this record. Based on this record the Board finds the appellants did demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed 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



Member



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: July 22, 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.