



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

APPELLANT: Guangan Wang
DOCKET NO.: 15-00014.001-R-1
PARCEL NO.: 07-01-20-206-020-0000

The parties of record before the Property Tax Appeal Board are Guangan Wang, 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 **No Change** 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: \$35,960
IMPR.: \$174,708
TOTAL: \$210,668

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) challenging the assessment for the 2015 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 4,461 square feet of living area. The dwelling was constructed in 2005. Features of the home include a full basement that is partially finished, central air conditioning, one fireplace and a three-car attached garage with 726 square feet of building area. The property is located in Naperville, Wheatland Township, Will County.

The appellant filed the appeal from a decision issued by the Property Tax Appeal Board for the prior tax year under Docket No. 14-00770.001-R-1 in which the subject's assessment was reduced to \$203,300. The appellant requested the subject's assessment that was established for the 2014 tax year be carried forward to the 2015 tax year. The appellant also submitted information on four comparable sales improved with two-story dwellings of frame or frame and brick construction that ranged in size from 4,071 to 4,475 square feet of living area. The dwellings were constructed from 2007 to 2008. Each comparable has a basement with three

being finished, each comparable has central air conditioning and each comparable has a three car attached garage. The sales occurred from June 2011 to February 2013 for prices ranging from \$532,000 to \$605,000 or from \$123.48 to \$136.71 per square foot of living area, including land. Based on this evidence the appellant requested the subject's assessment be reduced to \$203,300.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$210,668. The subject's assessment reflects a market value of \$632,067 or \$141.69 per square foot of living area, land included, when using the statutory level of assessment.

The board of review provided a statement from the Wheatland Township Assessor's Office asserting that 2015 was the start of the new general assessment period. The assessor also identified five comparable sales to support the subject's assessment. The comparables were improved with two-story dwellings that ranged in size from 4,359 to 4,646 square feet of living area. The dwellings were constructed from 2005 to 2010. Each comparable has a basement with one being partially finished, each comparable has central air conditioning, the comparables have one or two fireplaces and each comparable has an attached garage ranging in size from May 2012 to March 2015 for prices ranging from \$605,000 to \$688,000 or from \$135.20 to \$157.83 per square foot of living area, including land. Board of review sale #3 was the same comparable sale as appellant's sale #2.

The assessor also asserted that appellant's sale #1 was a "short sale"; appellant's comparable sale #2 was also used by the assessor; appellant's sale #3 was a five year-old sale; and appellant's sale #4 was located in a difference subdivision than the subject property.

In rebuttal the appellant asserted that his comparable sale #1 was not a "short sale." The appellant also asserted that his comparable sale #4 is located across the street from the subject property. In response to the board of review comparable sales the appellant asserted that sale #2 has a walk-out basement and is a better house; comparable sale #3 supports an assessment reduction; comparable sales #4 and #5 were constructed in 2010 and newer than the subject dwelling; and sale #5 occurred in 2015, out of the assessment period.

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.

As an initial matter the Board finds the appellant's request that the subject's assessment as established by the Property Tax Appeal Board for the prior tax year (2014) under Docket No. 14-00770.001-R-1 be carried forward to the 2015 tax year is without merit. Section 16-185 of the Property Tax Code provides in part that:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, **shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225**, (emphasis added) unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review. (35 ILCS 200/16-185).

The board of review provided a statement that 2015 was the start of a new general assessment period. Therefore, as tax years 2014 and 2015 are in different general assessment periods, section 16-185 of the Property Tax Code is not applicable under the facts of this appeal so as to allow the reduced assessment established in tax year 2014 to be carry forward to tax year 2015.

The record contains four comparable sales submitted by the appellant and five comparable sales provided by the board of review, with board of review sale #3 being identical to appellant's sale #2. The Board finds the best evidence of market value to be board of review comparable sales #1, #4 and #5 as these properties sold most proximate in time to the January 1, 2015 assessment date at issue. These comparables were relatively similar to the subject in size, style and features. The Board further finds that board of review sales #4 and #5, which is the same property that sold in July 2014 and again in March 2015, was newer than the subject dwelling. These most probative comparable sales sold from March 2014 to March 2015 for prices ranging from \$665,000 to \$688,000 or from \$146.80 to \$157.83 per square foot of living area, including land. The subject's assessment reflects a market value of \$632,067 or \$141.69 per square foot of living area, including land, which is below the range established by the best comparable sales in this record. The Board finds the best sales in this record support the subject's assessment. Less weight was given the remaining comparable sales provided by the parties as these properties did not sell as proximate in time to the assessment date at issue. 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.



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: _____

December 23, 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.