



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

APPELLANT: Sia Moody
DOCKET NO.: 15-00163.001-R-1
PARCEL NO.: 12-02-08-206-039-0000

The parties of record before the Property Tax Appeal Board are Sia Moody, the appellant, by attorney Scott Shudnow of Shudnow & Shudnow, Ltd. in Chicago; 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: \$11,100
IMPR.: \$73,200
TOTAL: \$84,300

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 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 and masonry construction with 2,493 square feet of living area.¹ The dwelling was constructed in 1996 and is approximately 19 years old. Features of the home include a full walk-out basement that is partially finished, central air conditioning, one fireplace and a three-car attached garage. The property has an 11,342 square foot site and is located in Bolingbrook, DuPage Township, Will County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$220,000

¹ The Board finds the best evidence of size of the subject dwelling was contained in the appellant's appraisal, which had a schematic diagram of the subject dwelling with dimensions and calculations.

or \$88.25 per square foot of living area, including land, as of January 1, 2015. The appraisal was prepared by Garry Nusinow, a Certified General Real Estate Appraiser.

In estimating the market value of the subject property the appraiser developed the sales comparison approach to value using six comparable sales. The comparable sales were described as being improved with three colonial style dwellings and three traditional style dwellings that range in size from 2,130 to 3,068 square feet of living area. The dwellings ranged in age from 11 to 33 years old. Each comparable has a basement with five having finished area, central air conditioning and a two-car or a three-car garage. Four of the comparables each have one fireplace. The properties were located from .22 to .67 of a mile from the subject property. The appraisal contained a map depicting the location of the comparables with reference to the subject property. The sales occurred from January 2013 to February 2015 for prices ranging from \$182,500 to \$250,000 or from \$78.23 to \$102.59 per square foot of living area, including land. The appraiser made adjustments to the comparables for sales or financing concessions and for differences from the subject property to arrive at adjusted prices ranging from \$205,000 to \$235,500. Based on this data the appraiser arrived at the estimated market value of \$220,000. The appellant requested the subject's assessment be reduced to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$84,300. The subject's assessment reflects a market value of \$253,534 or \$101.70 per square foot of living area, land included, when using the 2015 three year average median level of assessment for Will County of 33.25% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on six comparable sales identified by the township assessor. The comparables were improved with two-story dwellings that ranged in size from 1,758 to 2,737 square feet of living area. The comparables were constructed from 1993 to 2004. Each comparable has a basement with one being partially finished and each comparable has a two-car garage. The grid analysis indicated that two comparables each have one fireplace. The assessor also provided a map depicting the location of the comparables in relation to the subject property. The sales occurred from April 2014 to May 2015 for prices ranging from \$242,000 to \$290,000 or from \$100.84 to \$147.90 per square foot of living area, including land.

By way of rebuttal the assessor asserted that appraisal comparable sales #1 and #2 were short sales.

The board of review requested the subject's assessment be confirmed.

In rebuttal the appellant asserted that the assessor provided six unadjusted raw sales. The appellant's counsel argued that the assessor's sales did not contain any professional adjustments to reflect comparability in sale conditions, financing, market conditions, location, age, building condition, building size, renovations, basement finish, or parking/amenities.

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 evidence in the record does not support a reduction in the subject's assessment.

The record contains an appraisal provided by the appellant relying on the sales comparison approach to value using six sales. The board of review provided information on six comparable sales in support of the assessment. The comparables contained in the appraisal and provided by the board of review offered varying degrees of similarity to the subject property. The appraiser arrived at an estimated market value of \$220,000 or \$88.25 per square foot of living area, including land. The Board finds this conclusion of value appears low given that three of the comparable sales used by the appraiser had a relatively tight range of adjusted prices from \$231,000 to \$235,500. The sales provided by the assessor were not adjusted, however, they were generally similar to the subject property in location, age and features. Less weight was given board of review sale #6 due to differences from the subject dwelling in size. The remaining sales had prices ranging from \$242,000 to \$290,000 or from \$100.84 to \$129.93 per square foot of living area, including land. The subject's assessment reflects a market value of \$253,534 or \$101.70 per square foot of living area, including land, which is within the range established by the best comparable sales provided by the board of review. After considering the both the appellant's appraisal and the comparable sales provided by the board of review, 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

Acting 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: _____

May 19, 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.