



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

APPELLANT: Sikander Waheed  
DOCKET NO.: 15-00206.001-R-1  
PARCEL NO.: 12-02-09-108-025-0000

The parties of record before the Property Tax Appeal Board are Sikander Waheed, the appellant, by attorney Jessica Hill-Magiera in Lake Zurich; 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:** \$28,500  
**IMPR.:** \$85,300  
**TOTAL:** \$113,800

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 of a two-story dwelling of brick and vinyl exterior construction with 3,888 square feet of living area. The dwelling was constructed in 2004. Features of the home include a full basement, central air conditioning, one fireplace and a garage with 593 square feet of building area. The property has an 11,550-square foot site and is in Bolingbrook, DuPage Township, Will County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales improved with two-story dwellings similar to the subject property in location, size, age and features. These properties sold from January 2014 to May 2015 for prices ranging from \$265,000 to \$340,000 or from \$68.16 to \$87.45 per square foot of living area, including land. The appellant's analysis had adjustments to the comparables for time, land, features and age to arrive at adjusted prices ranging from

\$272,950 to \$340,986. Based on these sales the appellant requested the subject's assessment be reduced to \$103,469 to reflect a market value of \$310,438.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$113,800. The subject's assessment reflects a market value of \$342,256 or \$88.03 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 three comparable sales improved with two-story dwellings of brick and vinyl exterior construction that were like the subject property in location, size, age and features. Board of review comparable #1 was the same property as appellant's comparable #3. The comparables sold from May 2013 to June 2015 for prices ranging from \$340,000 to \$415,000 or from \$87.45 to \$106.74 per square foot of living area, including land. Board of review comparable #2 sold twice, once in July 2013 for a price of \$413,000 and again in June 2015 for a price of \$415,000. To document the comparables the board of review provided a copy of the property record card and a copy of the PTAX-203 Illinois Real Estate Transfer Declaration for each comparable.

In rebuttal, the board of review provided a copy of the PTAX-203 Illinois Real Estate Transfer Declaration associated with appellant's comparable #1 disclosing the transaction was a short sale. The board of review also provided a copy of the listing for appellant's sale #2 disclosing the transaction was a short sale. The listing further indicated the property sold in January 2013, however, the copy of the property record card submitted by the board of review for this comparable indicated this property sold in January 2014.

The board of review requested that no change be made to the assessment.

The appellant's counsel submitted rebuttal comments asserting that section 16-183 of the Property Tax Code (35 ILCS 200/16-183) requires the Property Tax Appeal Board to consider compulsory sales. Counsel also asserted that board of review sale #3 sold in 2013, too remote in time to establish market value as of January 1, 2015.

### **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 record contains five comparables submitted by the parties. Appellant's comparable #3 is the same property as board of review comparable #1 and board of review comparable #2 sold twice. These comparables were like the subject property in location, style, size, age and features. The comparables sold from May 2013 to June 2015 for prices ranging from \$265,000 to \$415,000 or from \$68.16 to \$106.74 per square foot of living area, including land. The Board finds the

record disclosed board of review comparable sale #2 sold twice, in July 2013 for a price of \$413,000 and again in June 2015 for a price of \$415,000, which seems to indicate that property values were relatively stable during this time frame. Because of this data the Board finds it appropriate to consider the two sales presented by the board of review that occurred in 2013. The Board further finds the two sales at the low end of the price range, appellant's comparables #1 and #2, were "short sales" indicating there was an element of duress in the transactions which may be the reason for their lower sales prices. The subject's assessment reflects a market value of \$342,256 or \$88.03 per square foot of living area, including land, which is within the range established by the comparable sales in this record. Based on this evidence the Board finds the subject's assessment is reflective of the property's fair cash value and a reduction in the 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. Pursuant to Section 1910.50(b) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(b)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.



Chairman



Member



Member

Acting 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: February 20, 2018



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 or years of the same general assessment period, as provided in Sections 9-125 through 9-225, 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 such subsequent year or years 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 OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

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.

PARTIES OF RECORD

AGENCY

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