



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

APPELLANT: Jolanta Devetinas-Petronis  
DOCKET NO.: 15-00212.001-R-1  
PARCEL NO.: 12-02-12-402-029-0000

The parties of record before the Property Tax Appeal Board are Jolanta Devetinas-Petronis, 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:** \$10,700  
**IMPR.:** \$51,900  
**TOTAL:** \$62,600

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 single-family dwelling of vinyl siding exterior construction with 2,046 square feet of living area. The dwelling was constructed in 1990. Features of the home include a full basement, central air conditioning, and a two-car attached garage with 420 square feet of building area. The property has an 11,821-square foot site 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 information on three comparable sales improved with two-story dwellings that range in size from 1,963 to 2,417 square feet of living area. The dwellings were built in 1990 and 1991. Each comparable is described as having a full basement and a garage ranging in size from 400 to 490 square feet of building area. The sales occurred in August 2014 and December 2014 for prices ranging from \$145,000 to \$175,200 or from \$59.99 to \$86.40 per

square foot of living area, including land. The appellant's analysis had adjustments to the comparables for time and for differences from the subject property to arrive at adjusted prices ranging from \$134,855 to \$168,181. Based on this evidence the appellant requested the subject's assessment be reduced to \$54,914 to reflect a market value of \$164,758.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$62,600. The subject's assessment reflects a market value of \$188,271 or \$92.02 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 four comparable sales improved with two-story dwellings of vinyl siding or brick and vinyl siding exteriors that range in size from 1,926 to 2,594 square feet of living area. The dwellings were constructed from 1989 to 2006. Each comparable has a full basement with three having finished area, central air conditioning and a garage ranging in size from 400 to 596 square feet of living area. One comparable has a fireplace. The comparables sold from January 2014 to September 2015 for prices ranging from \$220,000 to \$256,000 or from \$91.02 to \$127.21 per square foot of living area, including land. 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. The transfer declarations disclosed each comparable with the exception of comparable #2 had been advertised for sale.

The township assessor also reported the subject property sold in March 2016 for a price of \$256,000. To document the sale the board of review provide a copy of the PTAX-203 Illinois Real Estate Transfer Declaration noting the purchase price and the fact the property had been advertised for sale. The board of review also provided a copy of the subject's listing sheet describing the home as having a full finished basement and a fireplace.

The township assessor also contends that each comparable sale used by the appellant was "invalid." To support this assertion a copy of the PTAX-203 Illinois Real Estate Transfer Declaration for each comparable was submitted disclosing that each property was a "Bank REO (real estate owned)" and identified the seller as a credit union, bank or mortgage corporation. The township assessor also reported that appellant's comparable #3 resold in July 2015 for a price of \$250,500 or \$105.50 per square foot of living area, including land. In support of this statement the board of review provided a copy of the PTAX-203 Illinois Real Estate Transfer Declaration associated with the sale disclosing the property had been advertised for sale and further indicated the purchase had the elements of an arm's length transaction.

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

In rebuttal, the appellant's counsel asserted that board of review sale #1 was 16 years newer and 27% larger than the subject property; sale #2 was 18% larger than the subject property; and sale #3 was located in a different neighborhood.

### **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 seven comparables submitted by the parties to support their respective positions. The board finds the best sales in the record to be those provided by the board of review and documentation disclosing appellant's comparable #3 resold in July 2015. The transfer declarations provided by the board of review disclosed each comparable but for board of review sale #2 had been advertised for sale, which calls into question whether this property had all the elements of an arm's length transaction. Nevertheless, these comparables sold for prices ranging from \$220,000 to \$256,000 or from \$91.02 to \$127.21 per square foot of living area, including land. The subject's assessment reflects a market value of \$188,271 or \$92.02 per square foot of living area, including land, which is below the overall price range but within the range established by the best comparable sales in this record on a square foot basis. Additionally, the board of review provided evidence that the subject property sold in March 2016 for a price of \$256,000 or \$125.12 per square foot of living area, including land, significantly above the market value reflected by the subject's assessment, which further undermines the appellant's overvaluation argument. Less weight was given the appellant's sales as the evidence disclosed that each property was a "Bank REO (real estate owned)" and identified the seller as a credit union, bank or mortgage corporation, which calls into question the arm's length nature of the sales and whether or not their purchase prices are reflective of fair cash value. 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. 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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