



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

APPELLANT: Kenneth & Jeannie Stevenson
DOCKET NO.: 15-00215.001-R-1
PARCEL NO.: 16-05-19-313-009-0000

The parties of record before the Property Tax Appeal Board are Kenneth & Jeannie Stevenson, the appellants, by Jessica Hill-Magiera, Attorney at Law 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: \$20,432
IMPR.: \$99,445
TOTAL: \$119,877

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 consists of a two-story dwelling of frame and masonry exterior construction with 2,937 square feet of living area. The dwelling was built in 2003. Features of the home include a basement, central air conditioning, a fireplace and a three-car garage. The property also had an in-ground swimming pool and a 10,043 square foot site. The property is located in Lockport, Homer Township, Will County.

The appellants' appeal is based on overvaluation. In support of the overvaluation argument, the appellants submitted six comparable sales¹ located within .30 of a mile from the subject property. The comparables consist of two-story dwellings that were built from 2003 to 2007. The dwellings had features with varying degrees of similarity when compared to the subject. The

¹ The appellants' comparables #5 and #6 and the board of review's comparables #3 and #6 appear to depict the same properties.

dwellings range in size from 2,835 to 2,998 square feet of living area and are situated on sites that contain from 9,856 to 17,248 square feet of land area. The comparables sold from April 2014 to October 2014 for prices ranging from \$315,000 to \$359,900 or from \$108.41 to \$121.34 per square foot of living area including land. The submission also included grid of "Property Equalization Values" purporting to adjust the comparables. Based on this evidence, the appellants requested the total assessment be reduced to \$110,235.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's final assessment of \$119,877. The subject's assessment reflects an estimated market value of \$360,532 or \$122.76 per square foot of living area including land when applying Will County's 2015 three-year average median level of assessment of 33.25% as determined by the Illinois Department of Revenue. 86 Ill.Admin.Code §1910.50(c)(1).

In support of the subject's assessment, the board of review submitted information on six comparable sales located within .30 of a mile from the subject property. The comparables consist of two-story dwellings that were built from 2003 to 2007. The dwellings had features with varying degrees of similarity when compared to the subject. The dwellings range in size from 2,836 to 2,989 square feet of living area and are situated on sites that contain from 8,935 to 17,248 square feet of land area. The comparables sold from April 2014 to July 2016 for prices ranging from \$343,000 to \$485,000 or from \$114.75 to \$164.07 per square foot of living area including land. Board of review sale #3 and #6 was the same comparables as appellants' sale #5 and #6. Based on this evidence, the board of review requested confirmation of the subject's assessment.

The board of review submitted a brief from the township assessor asserting that the appellants did not use the correct grid analysis form and did not provided any comparables that had in-ground pools like the subject.

The appellants' counsel submitted a rebuttal brief responding to the board of review submission.

Conclusion of Law

The appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the appellants failed to lay any foundation for the adjustments within the property equalization values grid and therefore the Board will give these adjustments no weight and will look solely to the raw sales data.

The parties submitted 12 comparable sales for the Board's consideration with two comparables common to both parties. The Board gave less weight to the board of review's comparable #1 due to its July 2016, less proximate in time for the assessment date of January 1, 2015. The Board finds the best evidence of market value in the record to be the appellants' comparables and the

board of review's comparables #2 through #6. These comparables are similar in location, age, dwelling size, design, exterior construction and features. These comparables sold for prices ranging from \$315,000 to \$364,000 or from \$108.41 to \$123.18 per square foot of living area, including land. Comparable #2 provided by the board of review had an in-ground swimming pool similar to the subject property. This comparable sold for a price of \$364,000 or \$123.18 per square foot of living area, including land. The subject's assessment reflects an estimated market value of \$360,532 or \$122.76 per square foot of living area including land, which falls within the range established by the best sales comparables in this record. Based on this record the Board finds the subject's assessment is reflective of market value and 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



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 21, 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.