



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

APPELLANT: Pradip Nayak
DOCKET NO.: 15-00288.001-R-1
PARCEL NO.: 07-01-17-208-015-0000

The parties of record before the Property Tax Appeal Board are Pradip Nayak, 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: \$38,500
IMPR.: \$177,926
TOTAL: \$216,426

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 consists of a two-story dwelling of frame exterior construction with 4,493 square feet of living area. The dwelling was constructed in 2012. Features of the home include a finished basement, central air conditioning, a fireplace and a 910 square foot garage. The property is located in Naperville, Wheatland Township, Will County.

Pradip Nayak appeared before the Property Tax Appeal Board contending overvaluation on the land and building as the basis of the appeal.¹ In support of this argument the appellants submitted information on the cost to construct the subject dwelling and a copy of a "Stipulation of Assessment by the Parties" for the 2013 assessment year. The appellants submitted occupancy permits indicated the dwelling was completed in December 2012. The appellants

¹ A consolidated hearing was held under Docket Nos. 14-01390.001-R-1, 15-00288.001-R-1 and 16-01234.001-R-1. Individual decisions will be rendered for each parcel with the applicable evidence presented.

submitted a "Sworn Statement for Contractor and Subcontractor to Owner" disclosing a total cost for the dwelling of \$380,018 or \$84.58 per square foot of living area.

The appellant's land is assessed at \$38,500 and is requesting that it be lowered to \$35,960.

Mr. Nayak argued that his 2015 assessment should not have increased based on a 2013 stipulated agreement with the Wheatland Township Assessor for the board of review. The appellant testified that the stipulation was based on the new construction of his home which included a finished basement. The appellant testified that he took out a permit for the finished basement and received an occupancy permit for the finished basement on the same date as the occupancy permit for the home.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$216,426. The subject's assessment reflects a market value of \$650,905 or \$144.87 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. The subject's improvement assessment reflects a value of \$119.10 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on nine comparable sales located in the same neighborhood code assigned by the township assessor as the subject property. The comparable sales are improved with two-story dwellings of frame exterior construction and were built from 2005 to 2015. Features include basements with one comparable having a finished area, central air conditioning, one or two fireplaces and a garage ranging in size from 757 to 1,236 square feet of building area. The dwellings range in size from 4,393 to 4,581 square feet of living area and sold from January 2014 to April 2016 for prices ranging from \$670,000 to \$1,080,794 or from \$121.85 to \$181.40 per square foot of living area land included. The nine comparables each have a land assessment of \$38,500.

In written rebuttal, the appellant argued that his assessment should not be increased above the 2013 stipulation agreement.

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 Board gave less weight to the appellant's construction costs from 2012 based on the fact that they are dated and not reflective of the current market value as of the January 1, 2015 assessment date.

The Board finds the best evidence of market value to be the board of review comparable sales. These comparables are similar in location, dwelling size, age, design and other features. These

comparables sold from January 2014 to April 2016 for prices ranging from \$670,000 to \$1,080,794 or from \$121.85 to \$181.40 per square foot of living area land included. The subject's assessment reflects a market value of \$650,905 or \$144.87 which is below the range on a total market value basis and within the range established by the best comparable sales in this record on a per square foot basis. Based on this evidence the Board finds a reduction in the subject's assessment is not justified.

The appellant also argued that his land was overvalued. The appellant submitted no market data to demonstrate the subject's land was overvalued. Additionally, the board of review's nine comparable sales located in the same neighborhood as the subject property disclosed that the land was assessed identically at \$38,500, the same as the subject. Based on this evidence the Board finds a reduction in the subject's land 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(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) 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

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 16, 2019



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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