



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

APPELLANT: Larry & Mary Dalton
DOCKET NO.: 15-00472.001-R-1
PARCEL NO.: 04-21-125-033

The parties of record before the Property Tax Appeal Board are Larry & Mary Dalton, the appellants; and the Kendall 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 **Kendall** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$7,300
IMPR.: \$118,552
TOTAL: \$125,852

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Kendall 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 one-story dwelling of frame and masonry construction with 2,840 square feet of living area. The dwelling is nine years old. Features of the home include a full unfinished basement, central air conditioning, a fireplace and an 1,868 square foot garage. The property has a 48,625 square foot site and is located in Millbrook, Fox Township, Kendall County.

The appellants contend assessment inequity as the basis of the appeal. In support of this argument, the appellants submitted information on three equity comparables located in the same neighborhood as the subject property. The comparables are improved with one-story dwellings of masonry or frame and masonry construction. The dwellings range in age from eight to ten years old. The comparables had varying degrees of similarity compared to the subject. The dwellings range in size from 2,807 to 3,059 square feet of living area and have improvement assessments ranging from \$111,568 to \$121,617 or from \$39.29 to \$40.19 per square foot of

living area. Based on this evidence, the appellants requested a reduction in the subject's total assessment to \$119,300.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's total assessment of \$125,852. The subject property has an improvement assessment of \$118,552 or \$41.74 per square foot of living area. In support of its contention of the subject's correct assessment, the board of review submitted information on four equity comparables located in the same neighborhood as the subject. The comparables are improved with one-story dwellings of masonry or frame and masonry exterior construction. The dwellings are either 10 or 11 years old. The comparables had varying degrees of similarity compared to the subject. The dwellings range in size from 2,717 to 2,980 square feet of living area and have improvement assessments ranging from \$111,957 to \$125,299 or from \$40.79 to \$42.05 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The taxpayers contend assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties presented assessment data on a total of seven suggested comparables. The Board finds that all of the comparables submitted were very similar to the subject in location, design, exterior construction, age, living area and foundation. The comparables had improvement assessments that ranged from \$39.29 to \$42.05 per square foot of living area. The subject's improvement assessment of \$41.74 per square foot of living area falls within the range established by the comparables in this record. The subject's improvement assessment falls near the higher end of the range and appears to be justified due to its larger garage size. Based on this record, the Board finds the appellants were not able to demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed 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



Acting Member



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: June 23, 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.