



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

APPELLANT: Barbara Hill
DOCKET NO.: 15-00490.001-R-1
PARCEL NO.: 21-14-02-219-012-0000

The parties of record before the Property Tax Appeal Board are Barbara Hill, 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: \$5,472
IMPR.: \$18,448
TOTAL: \$23,920

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 one-story dwelling of frame construction with 1,212 square feet of living area. The dwelling was constructed in 1953 and is approximately 63 years old. Features of the home include a slab foundation, a 240 square foot carport and a detached garage with 500 square feet of building area. The property is located in Park Forest, Monee Township, Will County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on eight comparable sales improved with one-story dwellings that ranged in size from 1,092 to 1,358 square feet of living area and were constructed from 1953 to 1957. Each comparable has a slab foundation, one comparable has a fireplace, four comparables have central air conditioning, and six comparables have garages ranging in size from 352 to 484 square feet of building area. The sales occurred from August 2014 to June 2015 for prices ranging from \$7,500 to \$38,000 or from \$6.87 to \$33.22 per square foot of living area,

including land. The appellant's analysis included adjustments to the comparables to arrive at an "equalized sale price" for each comparable that ranged from \$8,109 to \$38,791. The appellant requested the subject's assessment be reduced to \$7,538.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$23,920. The subject's assessment reflects a market value of \$71,940 or \$59.36 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 one-story dwellings that ranged in size from 1,092 to 1,524 square feet of living area. The dwellings ranged in age from 60 to 64 years old. Each comparable has a slab foundation and central air conditioning. Three comparables have garages ranging in size from 320 to 360 square feet of building area. The sales occurred in March 2014 and February 2015 for prices ranging from \$75,000 to \$111,161 or from \$65.56 to \$101.80 per square foot of living area, including land. To document the sales the board of review submitted copies of the PTAX-203 Illinois Real Estate Transfer Declaration associated with each transaction. The transfer declaration associated with board of review sale #1 disclosed the property was not advertised for sale. Board of review sales #2 and #3 were the resales of appellant's sales #5 and #6. These two properties originally sold in October 2014 for prices of \$35,000 and \$23,500 and sold again in February 2015 for prices of \$81,500 and \$75,000, respectively.

In rebuttal, the board of review provided a statement from the township assessor asserting that comparable sales #1, #2, #3, #5 and #8 provided by the appellant are Special Warranty Deed, and/or Bank REO, buyer/seller is a financial institution or government agency, Sheriff Deed, court ordered sale and auction sale. The board of review submitted copies of the PTAX-203 Illinois Real Estate Transfer Declaration associated with appellant's sales #2 through #8. The transfer declarations disclosed as follows: appellant's sale #2 was a Bank REO and the seller was the Federal Home Loan Mortgage Corporation; appellant's sale #3 was a Bank REO and the seller was the Federal Home Loan Mortgage Corporation; appellant's sale #5 had a special warranty deed and the seller was Federal Home Loan Mortgage Corporation (Fannie Mae); and sale #8 was a Bank REO, court ordered auction where a Sheriff's Deed was used to transfer the property. The board of review also submitted a copy of a PTAX-203 Illinois Real Estate Transfer Declaration associated with the resale of appellant's comparable sale #7 that originally sold in November 2014 for a price of \$29,000 and sold again in July 2015 for a price of \$68,100.

In rebuttal the appellant noted that board of review sale #1 was not advertised for sale and noted that board of review sale #4 was 26% larger than the subject property. The appellant also contends that section 16-183 of the Property Tax Code allows the Property Tax Appeal Board to consider compulsory sales.

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 appellant's sales #1, #2, #3 and #8 as these comparables appeared to be compulsory sales calling into question whether their respective purchase prices are indicative of fair cash value. The Board also finds that appellant's sales #5, #6 and #7 had subsequent sales for significantly higher prices than the original sales used by the appellant. The subsequent sales of these properties call into question whether there were some condition issues with respect to these properties when they originally sold. The Board further finds the fact that the appellant failed to report these subsequent sales detracts from the credibility of her analysis. Less weight was given board of review sale #1 as the transfer declaration indicated this property had not been advertised for sale. The Board gives most weight to appellant's comparable sale #4 and board of review comparable sales #2, #3 and #4. These four properties sold for prices ranging from \$38,000 to \$100,000 or from \$33.22 to \$74.63 per square foot of living area, including land. Board of review sales #2 through #4 had unit prices ranging from \$65.56 to \$74.63 per square foot of living area, including land. The subject's assessment reflects a market value of \$71,940 or \$59.36 per square foot of living area, including land, which is within the range established by the best comparable sales in this record, and well supported by the best sales submitted by the board of review. 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.



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: _____

April 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.