



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

APPELLANT: Stephen Luster
DOCKET NO.: 15-00537.001-R-1
PARCEL NO.: 23-15-04-413-008-0000

The parties of record before the Property Tax Appeal Board are Stephen Luster, the appellant, by attorney William I. Sandrick of Sandrick Law Firm LLC in South Holland; 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: \$10,113
IMPR.: \$54,086
TOTAL: \$64,199

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 split-level style single family dwelling of frame and brick construction. The dwelling was constructed in 1976. Features of the home include a basement that is partially finished, central air conditioning, one fireplace and a two-car attached garage with 581 square feet of building area. The property is located in Crete, Crete Township, Will County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$150,000 as of January 1, 2013. The appraisal was prepared by Eric Sladcik, a certified general real estate appraiser. In estimating the subject's market value the appraiser developed the sales comparison approach to value and the cost approach to value. In describing the subject property the appellant's appraiser indicate the dwelling had 1,920 square feet of living area. The appellant's

appraisal had a schematic diagram of the subject's footprint, which appears to be the basis for the estimate of size.

Under the cost approach to value the appraiser arrived at an estimated market value of \$124,400. In developing the sales comparison approach to value the appraiser used three comparable sales described as being improved with two-story style homes that ranged in size from 1,752 to 2,000 square feet of living area. The dwellings ranged in age from 35 to 51 years old and had similar features as the subject property. The sales occurred from October 2011 to June 2012 for prices ranging from \$134,000 to \$180,000 or from \$67.00 to \$101.98 per square foot of living area, including land. The appraiser made adjustments to the comparables for differences from the subject property to arrive at adjusted prices ranging from \$144,800 to \$163,000. The appraiser arrived at an estimated value under the sales comparison approach of \$150,000.

In reconciling the two approaches to value the appellant's appraiser gave greatest weight to the sales comparison approach and arrived at an estimated market value of \$150,000.

Based on this evidence the appellant requested the subject's assessment be reduced to \$49,995.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$64,199. The subject's assessment reflects a market value of \$190,080, 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 board of review described the subject dwelling as having 2,910 square feet of living area, which results in an estimated market value of \$65.32 per square foot of living area, including land.

In support of its contention of the correct assessment the board of review submitted information on six comparable sales improved with split-level style dwellings that ranged in size from 1,948 to 2,648 square feet of living area. The dwellings were constructed 1972 to 2005. Three comparables have basements, each comparable has central air conditioning and each comparable has a garage ranging in size from 440 to 575 square feet of building area. Five of the comparables each have one fireplace. The sales occurred from November 2013 to June 2015 for prices ranging from \$141,000 to \$160,000 or from \$56.65 to \$78.54 per square foot of living area, including land.

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

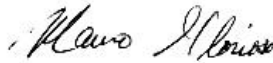
Conclusion of Law

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 finds the best evidence of market value to be the sales presented by the board of review which were improved with dwellings that were similar to the subject in style and also

sold proximate in time to the assessment date at issue. These comparables had varying degrees of similarity to the subject property with the primary difference being that each was smaller than the subject dwelling. The board of review comparable sales sold for prices ranging from \$56.65 to \$78.54 per square foot of living area, including land. The subject's assessment reflects a market value of \$65.32 per square foot of living area, including land, which is within the range established by the best comparable sales in the record. Little weight was given the appraisal submitted by the appellant as it had an effective date two-years prior to the assessment date at issue. The Board further finds the sales used in the appraisal were described as two-story dwellings, which differ from the subject in style, and the sales occurred more than 30 months prior to the assessment date at issue. 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.