



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

APPELLANT: Charles J. Pease Family Trust
DOCKET NO.: 15-00609.001-R-1
PARCEL NO.: 23-16-05-300-014-0000

The parties of record before the Property Tax Appeal Board are Charles J. Pease Family Trust, 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: \$11,820
IMPR.: \$132,051
TOTAL: \$143,871

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 Dryvit/stucco exterior construction containing 5,244 square feet of living area.¹ The dwelling was constructed in 1947.² Features of the home include a basement with finished area, central air conditioning, a fireplace, an in-ground pool, a 288 square foot pool house/shed, a detached 540 square foot garage and an attached 800 square foot garage. The property has a 4.3 acre site and is located in Crete, Crete Township, Will County.

¹ The appraiser reports the subject's dwelling size as 3,400 square feet of living area but did not submit any evidence to support this data. The board of review claims the subject's dwelling size is 5,244 square feet of living area and submitted a property record card with schematic drawing. The Board finds the assessing officials submitted the best evidence of dwelling size and will use a dwelling size of 5,244 square feet of living area for this analysis.

² The appraiser reported a construction date of 1987 but provided no evidence to support the assertion whereas the Property Record Card reported a construction date of 1947.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal prepared by Eric Sladcik estimating the subject property had a market value of \$350,000 or \$66.74 per square foot of living area as of January 1, 2013. The appraiser analyzed three comparables that sold from March 2012 to March 2013 for prices ranging from \$275,000 to \$368,000 or from \$70.78 to \$96.84 per square foot of living area including land. These comparables are described as Dryvit or brick and frame two-story dwellings that range in age from 7 to 20 years old. They range in size from 3,500 to 4,874 square feet of living area and are located a distance of .79 of a mile to 2.73 miles from the subject. Two comparables feature basements, one with finished area. They have central air conditioning, one or two fireplaces and three or four-car garages. Comparable #2 has a horse barn/pole barn. The comparables have sites that range in size from approximately one acre to 9.2 acres of land. After adjusting for dissimilarities with the subject, the comparables' adjusted sale prices ranged from \$291,200 to \$378,500.

The appraiser also developed the cost approach which valued the property at \$346,900. In reconciliation, the appraiser gave more weight to the market approach with the cost approach given secondary consideration.

Based on this evidence, the appellant requested the total assessment be reduced to \$116,655 or a market value of approximately \$350,000 or \$66.74 per square foot of living area including land at the statutory level of assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject property of \$143,871. The subject's assessment reflects a market value of \$432,695 or \$82.51 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.

With respect to the appellant's evidence, the board of review submitted a memo from the township assessor pointing out the differences between both parties' comparables and the subject including dwelling size and distance from the subject. The assessor also stated the appraisal comparables sold in 2012 and 2013.

In support of the subject's assessment, the board of review submitted information on six comparable sales. These comparables are described as two-story dwellings of frame and/or brick and/or stucco construction built from 1987 to 2001. The comparables range in size from 1,782 to 3,571 square feet of living area. Five feature basements, one with finished area. The comparables feature central air conditioning, one or two fireplaces and one or more garages that range in size from 462 to 821 square feet of building area. Site sizes were provided for five of the comparables and range in size from 0.5 acres to 3.7 acres. One comparable is in the same subdivision and on the same street as the subject. The remaining comparables are located from 1.5 to 4.4 miles from the subject.³ These comparables sold from July 2014 through October 2015 for prices ranging from \$170,000 to \$465,900 or from \$87.03 to \$130.47 per square foot of living area including land.

³ Distances of the comparables to the subject are provided by the township assessor in the cover memo.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

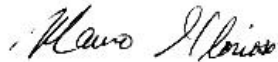
Conclusion of Law

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 appellant submitted an appraisal estimating the property had a market value of \$350,000 or \$66.74 per square foot of living area as of January 1, 2013. The Board gave little weight to the final opinion of value found in the appraisal report which is dated and utilized sales from February 2012 to January 2013 which are less indicative of market value as of the subject's assessment date of January 1, 2015. In addition, the Board finds substantial factual errors concerning the subject property in the appraisal report render the final opinion of value unreliable. The Board finds these errors include the living area square footage of the subject dwelling and the appraiser's failure to account for the subject's 288 square foot pool house/shed, the detached 540 square foot garage, and the in-ground pool.

The Board finds none of the comparables submitted by either party were particularly similar to the subject property and sold proximate in time to the subject's assessment date. That said, the Board finds the best evidence of market value to be board of review comparables #3, #5 and #6 despite differences in age, dwelling size and/or other features. These comparable sold from July 2014 to October 2015 for prices ranging from \$220,000 to \$465,900 or from \$87.03 to \$130.47 per square foot of living area including land. The subject's assessment reflects a market value of \$432,695 or \$82.51 per square foot of living area, land included, which is supported by the most similar sales in this record and appears to be logical given the subject's additional features that do not exist in the best comparable properties. Based on this evidence, the Board finds no reduction in the subject's assessment based on overvaluation is warranted.

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(b) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(b)) 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: March 20, 2018



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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