



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

APPELLANT: James Betourney
DOCKET NO.: 15-00637.001-R-1
PARCEL NO.: 23-16-07-101-025-0000

The parties of record before the Property Tax Appeal Board are James Betourney, the appellant, by attorney Michael R. Davies of the Law Offices of Michael R. Davies, Ltd., in Oak Lawn; 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: \$13,046
IMPR.: \$53,067
TOTAL: \$66,113

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 vinyl siding exterior construction that has 2,742 square feet of living area. The dwelling was built in 1996. The home features a full basement that is partially finished, central air conditioning, a fireplace and a 1,010 square foot attached garage. The subject has a 26,712 square foot site. The subject property is located in Crete Township, Will County, Illinois.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal of the subject property. The appraiser developed the sales comparison approach to value using three comparable sales in arriving at an opinion of value of \$170,000 as of January 1, 2014. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject property of \$66,113. The subject's assessment reflects an estimated market value of \$198,776 or \$72.49 per square foot of living area including land when applying the 2015 three-year average median level of assessment for Will County of 33.26%.

In support of the subject's assessment, the board of review submitted four comparable sales located in close proximity within the same subdivision as the subject. The comparables had varying degrees of similarity when compared to the subject. The comparables sold from September 2012 to September 2014 for prices ranging from \$198,000 to \$260,000 or from \$67.19 to \$97.76 per square foot of living area including land.

With respect to the appellant's evidence, the board of review, through the township assessor, argued the comparables selected by appellant's appraiser were not located in the subject's subdivision. 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 failed to meet this burden of proof and no reduction in the subject's assessment is warranted.

The appellant submitted an appraisal estimating the subject property has a market value of \$170,000 as of January 1, 2014. The Board gave little weight to the appraisal report. The effective date of the appraisal was one year prior to the subject's assessment date. Moreover, two of the comparable sales contained within the appraisal occurred in 2013, which are dated and less indicative of market value as of the subject's January 1, 2015 assessment date. The comparable sales selected by the appellant's appraiser were considerably older in age than the subject, none of the comparables are located in the subject's subdivision, and comparable #1 was dissimilar in design when compared to the subject. These factors undermine the credibility of the appraisal's final value conclusion.

The board of review submitted four comparable sales for the Board's consideration. The Board gave less weight to comparables #1 and #4. These properties sold in 2012 or 2013, which are dated and less indicative of market value as of the subject's January 1, 2015 assessment date. In addition, comparable #1 is older in age than the subject. The Board finds comparables #2 and #3 submitted by the board of review are most similar when compared to the subject in location, land area, design, dwelling size and most features, but have inferior unfinished basements and are slightly older in age than the subject. They sold in August and September of 2014 for prices of \$198,500 and \$260,000 or \$67.19 and \$81.50 per square foot of living area including land, respectively. The subject's assessment reflects an estimated market value of \$198,776 or \$72.49 per square foot of living area including land, which is supported by the most similar comparable sales contained in the record. Therefore, the Board finds no reduction in the subject's assessment 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

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:

October 20, 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 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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