



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

APPELLANT: Abdul R & Zulaikha Z Wasiqi
DOCKET NO.: 15-00639.001-R-1
PARCEL NO.: 07-01-11-208-005-0000

The parties of record before the Property Tax Appeal Board are Abdul R & Zulaikha Z Wasiqi, the appellants, 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: \$44,440
IMPR.: \$98,081
TOTAL: \$142,521

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 2-story dwelling of frame construction containing 2,981 square feet of living area. The dwelling was constructed in 1994. Features of the home include an unfinished basement, central air conditioning, a fireplace and a 466 square foot garage. The property is located in Naperville, Wheatland Township, Will County.

The appellants' appeal is based on overvaluation. In support of this argument the appellants partially completed Section IV - Recent Sale Data of the appeal and submitted a PTAX-203 Illinois Real Estate Transfer Declaration disclosing the subject property was purchased in April 2013¹ for a price of \$355,000 or \$119.09 per square foot of living area, including land. The appellants disclosed that the property was advertised for sale. Based on this evidence, the appellants requested a reduction in the subject's total assessment to \$118,321.

¹ The appellants stated in Section IV- Recent Sale Data of the appeal the sale occurred on May 7, 2013.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$142,521. The subject's assessment reflects a market value of \$428,635 or \$143.79 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 appellants' evidence, the board of review submitted a memo from the township assessor stating the appellants had appealed the subject's assessment in 2014, requesting the fair market value be reduced to reflect the 2013 sale. In 2014 the township stipulated to the fair market value and the board of review granted the request for one year only. The assessor further states that 2015 is the quadrennial assessment year and the home has been re-equalized back into the subdivision using like homes to determine the assessment.

In support of its contention of the correct assessment the board of review submitted information on five comparable sales. They are described as 2-story dwellings of frame construction ranging in size from 2,903 to 2,983 square feet of living area and built between 1993 and 1996. They feature unfinished basements, central air conditioning, one fireplace each and garages that range in size from 446 to 646 square feet of building area. These comparables sold between February 2014 and May 2015 for prices ranging from \$439,000 to \$480,000 or from \$147.41 to \$160.91 per square foot of living area land included.

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

Conclusion of Law

The appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The appellants provided evidence in the form of a PTAX-203 Illinois Real Estate Transfer Declaration that the subject property was advertised and was sold in April 2013 for a price of \$355,000 or \$119.09 per square foot of living area, including land. The Board finds the sale is somewhat dated and calls into question whether the subject's purchase price is indicative of fair cash value as of the assessment date at issue. The Board gave more weight to the five comparable sales submitted by the board of review which were similar to the subject in location, style, exterior construction, size, age and features. These comparables sold between February 2014 and May 2015 for prices ranging from \$439,000 to \$480,000 or from \$147.41 to \$160.91 per square foot of living area land included. The subject's assessment reflects a market value of \$428,635 or \$143.79 per square foot of living area, land included, which is below the range established by the comparables in the record on both a total market value basis as well as a per square foot basis. Based on this record 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. 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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