



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

APPELLANT: Larry E Austgen TR 03067
DOCKET NO.: 15-00646.001-R-1
PARCEL NO.: 23-16-07-104-017-0000

The parties of record before the Property Tax Appeal Board are Larry E Austgen TR 03067, 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: \$11,782
IMPR.: \$56,897
TOTAL: \$68,679

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 described as a split-level dwelling of brick and stucco exterior construction containing 2,756 square feet of living area. The dwelling was constructed in 1978. It features an unfinished basement under the ground level, central air conditioning, a fireplace, a 981 square foot attached garage and a 936 square foot detached garage. The site is approximately 24,000 square feet in size and 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 prepared by David Conaghan estimating the subject property had a market value of \$120,000 or \$43.54 per square foot of living area as of January 1, 2014. The appraiser analyzed three comparables that sold from February 2011 to July 2014 for prices ranging from \$107,500 to \$128,000 or from \$29.61 to \$71.67 per square foot of living area including land. These comparables are described as split-level or two-story brick or frame

dwellings that range in age from 25 to 39 years old. They range in size from 1,500 to 3,678 square feet of living area and are located a distance of .40 to .97 of a mile from the subject. The comparables feature full or partial basements, central air conditioning, one fireplace each and two-car garages. After adjusting for dissimilarities with the subject, the comparables' adjusted sale prices ranged from \$81,240 to \$126,270.

Based on this evidence, the appellant requested the total assessment be reduced to \$39,996 or a market value of approximately \$120,000 or \$43.54 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 \$68,679. The subject's assessment reflects a market value of \$206,553 or \$74.95 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 who compared and contrasted both parties comparables.

In support of the subject's assessment, the board of review submitted information on three comparable sales. These comparables are described as split-level dwellings of brick and frame construction built from 1979 to 1987. The comparables range in size from 2,025 to 2,257 square feet of living area. They feature central air conditioning, fireplaces and attached garages. Two comparables feature basements, one with finished area. The comparables are located a distance of .2 of a mile to 1.5 miles from the subject. These comparables sold from February 2012 through May 2014 for prices ranging from \$142,500 to \$170,000 or from \$63.14 to \$80.95 per square foot of living area including land.

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 \$120,000 or \$43.54 per square foot of living area as of January 1, 2014. The Board gave little weight to the final opinion of value found in the appraisal report which is dated and utilized two sales from 2011 which are less indicative of market value as of the subject's assessment date of January 1, 2015.

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 comparable #3. Despite its somewhat smaller dwelling size, it is similar to the subject in location, age, exterior construction, style and most features and sold seven months prior to the subject's assessment date for \$170,000 or \$80.95 per square foot of living area including land. The subject's assessment reflects a market value of \$206,553 or \$74.95 per square foot of living area, land included, which is supported by the most similar sale in this record and appears to be logical given the subject's larger dwelling size. 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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APPELLANT

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