



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

APPELLANT: Seejay Property Group, LLC
DOCKET NO.: 15-00685.001-R-1
PARCEL NO.: 12-02-15-206-006-0000

The parties of record before the Property Tax Appeal Board are Seejay Property Group, LLC, the appellant, by attorney Dennis M. Nolan, of Dennis M. Nolan, P.C. in Bartlett, 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: \$9,600
IMPR.: \$27,600
TOTAL: \$37,200

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 one-story dwelling of frame construction with 1,435 square feet of living area. The dwelling was constructed in 1961. Features of the home include a concrete slab foundation and central air conditioning.¹ The property has a 7,362 square foot site and is located in Bolingbrook, DuPage 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 Jacob Bartlett of Chicagoland Residential Appraisals, Inc., estimating the subject property had a market value of \$65,000 as of January 1, 2013 based upon an exterior only inspection performed on August 19, 2013.

¹ The assessing officials do not reflect air conditioning as a feature of the dwelling, but the appellant's appraiser indicated the home does have this amenity.

The appraiser utilized the sales comparison approach to value to estimate the property's market value for "possible tax appeal." The appraiser analyzed five comparable sales located within .32 of a mile of the subject. The comparables consist of one-story frame or frame and brick dwellings that were each built in either 1961 or 1970. The homes range in size from 1,210 to 1,475 square feet of living area with slab foundations and central air conditioning. Four of the comparables have either one-car or two-car garages. The comparables sold between July 2010 and November 2012 for prices ranging from \$47,800 to \$70,500 or from \$33.31 to \$55.79 per square foot of living area, including land.

The appraiser adjusted four comparables downward for their garage features which was not a feature of the subject property. Comparable #4 was also adjusted upward for room count and gross living area. Comparable #5 was adjusted downward for condition and for having both a porch and patio. The adjusted sales prices ranged from \$60,000 to \$71,000.

Based on this foregoing appraisal evidence, the appellant requested a reduction reflective of the appraised value conclusion at the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$37,200. The subject's assessment reflects a market value of \$111,880 or \$77.97 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.

In response to the appeal, the board of review submitted a memorandum and data gathered by the township assessor. The assessor asserted that the appellant's appraisal report has a dated value conclusion for the assessment date of January 1, 2015 which is further rendered irrelevant given the dated sales that were utilized to arrive at the conclusion.

In support of its contention of the correct assessment the board of review through the township assessor submitted information on five comparable sales, four of which are located in the same neighborhood code assigned by the assessor as the subject property. Moreover, the assessor noted that board of review comparable #1 is the same property as appraisal sale #2, but with an April 2015 sale date instead of a sale from July 2010. The comparables consist of one-story dwellings that were each built in either 1961 or 1962. The homes contain either 1,115 or 1,435 square feet of living area with slab foundations and garages ranging in size from 320 to 528 square feet of building area. The comparables sold between March 2013 and April 2015 for prices ranging from \$115,000 to \$135,000 or from \$85.02 to \$118.39 per square foot of living area, including land.

Based on this evidence and argument, the board of review requested confirmation of the subject's estimated market value as reflected by its 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 has given no weight to the value conclusion or the comparable sales contained in the appellant's appraisal report since the data is not proximate in time to the valuation date at issue of January 1, 2015 and thus unlikely to be indicative of the subject's market value as of the assessment date.

Despite that each comparable has a garage amenity which is not a feature of the subject property, the Board finds the best evidence of market value in the record to be the board of review comparable sales. The board of review comparable sales sold between March 2013 and April 2015 for prices ranging from \$115,000 to \$135,000 or from \$85.02 to \$118.39 per square foot of living area, including land. The subject's assessment reflects a market value of \$111,880 or \$77.97 per square foot of living area, including land, which is below the range established by the board of review's comparable sales. The subject's lower total and per-square-foot values appear justified given its lack of a garage amenity.

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. 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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