



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

APPELLANT: Gary Quaranta
DOCKET NO.: 15-01084.001-R-1
PARCEL NO.: 16-05-23-205-030-0000

The parties of record before the Property Tax Appeal Board are Gary Quaranta, the appellant, by attorney William Blanchard in Oakbrook; and the Will County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **A Reduction** 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: \$26,651
IMPR.: \$100,269
TOTAL: \$126,920

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 improved with a two-story dwelling of brick and cedar exterior construction with 3,455 square feet of living area. The dwelling was constructed in 2004 and is approximately 11 years old. Features of the property include a full unfinished basement, central air conditioning, one fireplace, a three-car attached garage and an inground swimming pool. The property has a 19,703-square foot site and is located in Homer Glen, Homer Township, Will County.

The appellant contends overvaluation and assessment inequity as the bases of the appeal. In support of the overvaluation argument the appellant submitted an appraisal estimating the subject property had a market value of \$380,800 as of December 31, 2014. The appraisal was prepared by James E. Batis, a certified residential real estate appraiser. The client was identified as Mary and Gary Quaranta. The purpose of the appraisal was to develop an opinion of market value. The intended use of the appraisal was to assist the client in establishing the market value for tax

assessment purposes. The property rights appraised were the fee simple interest. The highest and best use as vacant was determined to be to hold for future development. The highest and best use as improved was determined to be as improved with a single-family dwelling.

The appraiser explained the subject site is a rectangular lot with a level topography on the eastern boundary of the subdivision that backs up to over-head power transmission lines. The dwelling was described as containing 3,455 square feet of living area. The report included a sketch of the building, with measurements, a depiction of the floor layout, and area calculation summaries.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value using three comparable sales improved with two-story dwellings of brick and cedar or brick and vinyl exterior construction that range in size from 2,878 to 3,545 square feet of living area. The dwellings range in age from 10 to 13 years old. Each comparable has an unfinished basement, central air conditioning, one fireplace and a three-car attached garage. Each comparable is located in the subject's subdivision from .04 of a mile to .20 of a mile, with two being located along the same street as the subject property. These properties have sites ranging in size from 19,495 to 19,542 square feet of land area. The sales occurred from December 2013 to November 2014 for prices ranging from \$338,000 to \$370,000 or from \$103.27 to \$117.44 per square foot of living area, including land. The appraiser adjusted the comparables for differences from the subject to arrive at adjusted prices ranging from \$366,500 to \$380,800. The appraiser gave most consideration to sale #1 as this was the most recent sale and had the fewest gross adjustments. Based on this data the appraiser arrived at an estimated market value of \$380,800 as of December 31, 2014.

The appellant also completed Section V – Comparable Sales/Assessment Grid Analysis of the appeal using four comparables; comparables #1 through #3 were the same properties as the comparable sales contained in the appellant's appraisal. Comparable #4 was improved with a two-story dwelling of brick and vinyl siding exterior construction that has 3,036 square feet of living area. The dwelling is approximately 15 years old. Features include an unfinished basement, central air conditioning, one fireplace, a three-car garage and an inground swimming pool. This property is located along the same street and within .01 of a mile from the subject property. This property sold in December 2013 for a price of \$315,000 or \$103.75 per square foot of living area, including land. The appellant reported that these four comparables had improvement assessments ranging from \$85,903 to \$120,726 or from \$25.98 to \$35.66 per square foot of living area, including land.

Based on this evidence the appellant requested the subject's assessment be reduced to \$126,667.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$144,979. The subject's assessment reflects a market value of \$436,027 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 support of its contention of the correct assessment the board of review submitted information by the Homer Township Assessor's Office. The assessor's office reported that the appellant's appraiser had the incorrect dwelling size of 3,455 square feet of living area and contends the dwelling has 3,267 square feet of living area.

In support of the assessment the assessor's office identified four comparable sales located in the subject's subdivision improved with two-story dwellings of brick and cedar or brick and stucco exteriors that ranged in size from 3,299 to 3,668 square feet of living area. The dwellings were constructed from 2000 to 2002. Each home has an unfinished basement, central air conditioning, one fireplace and a two-car or a three-car garage. Two of the comparables have inground swimming pools. These properties have sites ranging in size from 20,310 to 39,771 square feet of land area and are located from .08 of a mile to .42 of a mile from the subject property. The sales occurred from June 2014 to July 2015 for prices ranging from \$466,000 to \$601,000 or from \$127.74 to \$163.85 per square foot of living area, including land.

In rebuttal appellant's counsel asserted that the subject is located in Hidden Valley Estates Subdivision that has 9 neighborhood codes.¹ Counsel further noted that three of the appellant's comparables are located along the same street and back to the utility easement containing two overhead electric high-tension transmission lines. He further asserted that the street on which the subject is located, Ridgewood Drive, is one of two main streets within the subdivision. Counsel argued that the board of review comparable sales are located on interior wooded lots that back up to dedicated woodlands and on neighborhood streets that experience less traffic. The appellant's counsel provided an aerial photograph of the subdivision to support this statement.

Counsel also explained the discrepancy in dwelling size is due to the assessor failing to include a walk-in closet located on the second floor above the garage as depicted on the appellant's appraiser's sketch of the home.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The first issue before the Board is to determine the correct size of the subject dwelling. The Board finds the best evidence of size to be contained in the appellant's appraisal, which included a sketch of the building, with measurements, a depiction of the floor layout, and area calculation summaries. The appraiser's sketch disclosed that the subject dwelling has a closet on the second floor above the garage that was not included in the assessor's diagram or size calculation. Based on this record the Board finds the subject dwelling has 3,455 square feet of living area.

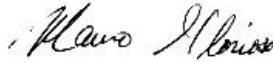
The Board finds the best evidence of market value to be the comparable sales and the appraisal submitted by the appellant. Altogether the appellant and the board of review provided information on eight comparable sales of two-story dwellings located in the subject's subdivision that were all relatively similar to the subject dwelling in style, age, size and features. The

¹ The appellant's counsel is referring to the block number as referenced in each parcel number (PIN) as disclosed on a copy of a plat map of the subdivision submitted in rebuttal.

primary difference between the data provided by the appellant and that provided by the board of review has to do with the location of the comparables within the subdivision. Two of the comparables utilized by the appellant's appraiser were located along the same street as the subject property and backed to the over-head power transmission lines as does the subject property. Three of the appellant's comparables, which included two used by the appellant's appraiser, were located along the same street as the subject property and backed to the over-head power transmission lines. These three sales had prices ranging from \$315,000 to \$370,000 or from \$103.37 to \$104.37 per square foot of living area, including land. The subject's assessment reflects a market value of \$436,027 or \$126.20 per square foot of living area, including land, which is above the range established by the best comparable sales in the record. The comparable sales used by the board of review, even though in the subject's subdivision, did not back to the over-head power transmission lines. The sales in the record demonstrated that the market recognized a diminution in value for those properties in the subject's subdivision that backed to the over-head power transmission line easement. Based on this evidence the Board finds a reduction in the subject's assessment is justified based on overvaluation.

The appellant also marked assessment inequity as the basis of the appeal. The Board finds that due to the reduction to the subject's assessment based on overvaluation, a further reduction to the assessment based on assessment inequity 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(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) 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: May 15, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Gary Quaranta, by attorney:
William Blanchard
Attorney at Law
2603 West 22nd Street
Suite 17
Oakbrook, IL 60523

COUNTY

Will County Board of Review
Will County Office Building
302 N. Chicago Street
Joliet, IL 60432