



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

APPELLANT: James & Cynthia Murphy
DOCKET NO.: 15-01085.001-R-1
PARCEL NO.: 19-09-12-419-002-0000

The parties of record before the Property Tax Appeal Board are James & Cynthia Murphy, the appellants, 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: \$12,668
IMPR.: \$75,633
TOTAL: \$88,301

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 bi-level single-family dwelling of brick and wood siding exterior construction with 2,157 square feet of living area. The dwelling was constructed in 1993. Features of the home include a partial unfinished basement, central air conditioning and an attached 563 square foot garage. The property has a 12,668 square foot site and is located in Frankfort, Frankfort Township, Will County.

The appellants contend overvaluation as the basis of the appeal. In support of the argument, the appellants submitted information on three comparables located within five blocks of the subject property. The comparables were either bi-level or tri-level dwellings of brick and wood exterior construction. The homes range in age from 22 to 24 years old and range in size from 2,145 to 2,314 square feet of living area. Each comparable has a partial basement, central air conditioning, a fireplace and at least comparable #1 has a 462 square foot garage. The appellants

reported the comparables sold between April 1993 and April 2013 for prices ranging from \$184,347 to \$235,000 or from \$85.18 to \$109.56 per square foot of living area, including land.

Based on this evidence, the appellants requested a reduced total assessment of \$88,301 which would reflect a market value of approximately \$264,903 or \$122.81 per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$96,116. The subject's assessment reflects a market value of \$289,071 or \$134.02 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 prepared by Joseph Kral, Frankfort Township Assessor, along with additional comparable equity¹ and sales data. As part of the memorandum, the assessor noted that appellant's comparable sale #2 that sold in 1993 is not recent for determining market value as of the assessment date of January 1, 2015.²

In support of its contention of the correct assessment, the board of review submitted information on six comparable sales where board of review comparable #3 is the same property as appellants' comparable #3. The comparables consist of bi-level or tri-level dwellings that were 19 to 22 years old. The homes range in size from 1,398 to 2,145 square feet of living area. Five of the comparables have basements and each has central air conditioning and a garage or carport ranging in size from 189 to 575 square feet of building area. The comparables sold between March 2013 and December 2014 for prices ranging from \$194,000 to \$260,000 or from \$109 to \$185 per square foot of living area, including land, rounded.

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

The parties submitted a total of nine comparable sales to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellants' comparables #1 and #2 as the dates of sale are more remote in time to the valuation date at issue of January 1,

¹ Due to the basis of the appellants' appeal being overvaluation, the Property Tax Appeal Board will not specifically address the board of review's 25 equity comparables other than noting all of the comparables range in size from 1,414 to 1,545 square feet of living area and thus, are significantly smaller than the subject dwelling.

² Specifically, the assessor said the sale was "way past its sell-by date."

2015 and thus less likely to be indicative of market value at that time. The Board has also given reduced weight to board of review comparables #2, #4, #5 and #6 based on their significantly smaller dwelling sizes when compared to the subject dwelling and also due to comparable #2's lack of a basement.

The Board finds the best evidence of market value on this limited record, containing solely somewhat dated sales, to be appellants' comparable sale #3 and board of review comparable sales #1 and #3, where each party has the same property for its comparable #3. These most similar comparables sold in 2013 for prices of \$235,000 and \$245,000 or for \$109.56 and \$117.62 per square foot of living area, including land. The subject's assessment reflects a market value of \$289,071 or \$134.02 per square foot of living area, including land, which is substantially above the best dated comparable sales in this record. Based on this limited evidence, the Board finds a reduction in the subject's assessment is justified commensurate with the appellants' request.

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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