



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

APPELLANT: Nanya Patel
DOCKET NO.: 15-06377.001-C-1
PARCEL NO.: 18-19-05-151-011

The parties of record before the Property Tax Appeal Board are Nanya Patel, the appellant, by attorney Joanne Elliott of Elliott & Associates, P.C. in Des Plaines; and the Stephenson 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 **Stephenson** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$33,706
IMPR.: \$182,939
TOTAL: \$216,645

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a three-story, 67 room hotel that contains 30,979 square feet of building area. The building was constructed in 2000. Features of the building include a lobby, a continental breakfast area, indoor pool and exercise room. The subject property has a 130,680 square foot or 3.0-acre site and is located in Freeport, Freeport Township, Stephenson County. The property is being operated as a Super 8 Hotel.

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. In support of this argument the appellant provided evidence disclosing the subject property was purchased in March 2015 for a total price of \$800,000. The documentation provided by the appellant attributed \$200,000 of the purchase price to personal property resulting in a net consideration to the real property of \$600,000. To document the purchase, the appellant provided a copy of the "Purchase and Sale Agreement", a copy of the warranty deed and a copy of the PTAX-203 Illinois Real Estate Transfer Declaration.

In further support of the overvaluation argument the appellant submitted a narrative appraisal estimating the subject property had a fair market value of the going concern of \$800,000 as of August 11, 2014. The appraisal attributed \$100,000 to furniture, fixtures and equipment (F, F, & E) and a value for the real property of \$700,000. The appraisal was prepared by Nicholas R. Cipriano, Certified General Real Estate Appraiser, and Christopher B. Myers, Certified General

Real Estate Appraiser, of Lee & Associates Valuation and Consulting Services, LLC located in Atlanta, Georgia. In estimating the market value of the subject property the appraisers developed the cost approach to value arriving at an estimated value of \$700,000; the sales comparison approach to value arriving at an estimated fee simple going concern value of \$800,000; and the income approach to value arriving at an estimated fee simple going concern value of \$800,000. The appraisers arrived at an estimated value of the going concern of \$800,000 to which \$700,000 was attributed to the improvements and the land while \$100,000 was attributed to the F, F, & E.

Considering both the sale of the subject property and the appraisal, the appellant requested the subject's total assessment be reduced to \$216,645 to reflect a market value of \$650,000. The appellant submitted a copy of the 2015 Notice of Final Decision on Assessed Value by Board of Review disclosing a total assessment for the subject property of \$306,998. The subject's assessment reflects a market value of \$914,229 when using the 2015 three-year average median level of assessments for Stephenson County of 33.58% as determined by the Illinois Department of Revenue.

The board of review did not submit its "Board of Review Notes on Appeal" or any evidence in support of its assessed valuation of the subject property.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Board further finds the evidence in the record supports a reduction in the subject's assessment.

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

The Board finds the only evidence of market value in the record was presented by the appellant. The appellant provided evidence disclosing the subject property was purchased for a total price of \$800,000 in March 2015 with \$200,000 of the purchase price being attributed to personal property and \$600,000 attributed to the real property. The appellant also submitted a narrative appraisal estimating the going concern fee simple market value of the subject property to be \$800,000 as of August 11, 2014 of which \$100,000 was attributed to F, F, & E and \$700,000 was being attributed to the land and improvements. The Board finds the subject's assessment reflects a market value greater than both the purchase price and the appraised value presented by the appellant. The board of review did not submit any evidence in support of its assessment of the subject property or to refute the appellant's argument as required by section 1910.40(a) of the rules of the Property Tax Appeal Board and is found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board. (86 Ill.Admin.Code 1910.40(a) & 1910.69(a)). Based on this record the Property Tax Appeal Board finds a reduction to the subject's assessment commensurate with the appellant's request is appropriate.

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



Acting 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:

October 20, 2017



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

Nanya Patel, by attorney:
Joanne Elliott
Elliott & Associates, P.C.
1430 Lee Street
Des Plaines, IL 60018

COUNTY

Stephenson County Board of Review
Suite 500
50 West Douglas
Freeport, IL 61032