



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

APPELLANT: Rowcor, LLC
DOCKET NO.: 15-06671.001-R-1
PARCEL NO.: 02-14-353-032

The parties of record before the Property Tax Appeal Board are Rowcor, LLC, the appellant, by attorney Jessica Hill-Magiera in Lake Zurich; and the Kendall 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 **Kendall** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$10,289
IMPR.: \$87,571
TOTAL: \$97,860

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) 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 two-story dwelling of brick and frame construction with 4,238 square feet of living area. The dwelling was constructed in 2007. Features of the home include an unfinished basement, central air conditioning, a fireplace and a 400 square foot garage. The property has a 12,739 square foot site and is located in Yorkville, Bristol Township, Kendall County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on five comparable sales. The comparables had varying degrees of similarity to the subject. The comparables had sale dates occurring from April 2014 to December 2015 for prices ranging from \$242,000 to \$270,000 or from \$60.96 to \$66.62 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 \$97,860. The subject's assessment reflects a market value of \$293,609 or \$69.28 per square foot of living area, land included, when using the 2015 three year average median level of assessment for Kendall County of 33.33% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales, two of which were submitted by the appellant. The comparables had varying degrees of similarity to the subject. The comparables had sale dates occurring from March 2014 to December 2015 for prices ranging from \$253,000 to \$322,000 or from \$60.96 to \$78.96 per square foot of living area, including land.

Under rebuttal, the appellant argued that the board of review did not dispute the appellant's evidence and the median sale price of the best comparables should be used to determine market value. In addition, two of the board of review's comparables were the same as the appellant's and the other two are acceptable comparables.

The board of review submitted sur-rebuttal that the author of the appellant's evidence was not disclosed or how adjustments to the appellant's comparables were calculated.

The appellant submitted sur-rebuttal that the board of review's sur-rebuttal was inappropriate.

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 finds the best evidence of market value to be the parties' common sales, the appellant's sale #5 and the board of review's sales #1 and #3. These five most similar comparables sold from March 2014 to December 2015 for prices ranging from \$253,000 to \$322,000 or from \$60.96 to \$78.96 per square foot of living area, including land. The subject's assessment reflects a market value of \$293,609 or \$69.28 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. The Board gave less weight to the appellant's remaining sales due to their smaller sizes when compared to the subject. Furthermore, one of these sales had conflicting evidence, as to its size, between the appellant's initial evidence and rebuttal evidence. The appellant also had conflicting evidence of size for the parties' common comparable #4, between the appellant's initial evidence and rebuttal evidence. 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



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: December 19, 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

Rowcor, LLC , by attorney:
Jessica Hill-Magiera
Attorney at Law
790 Harvest Drive
Lake Zurich, IL 60047

COUNTY

Kendall County Board of Review
Kendall County Office Building
Yorkville, IL 60560