



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

APPELLANT: Pankaj Wadhawan
DOCKET NO.: 15-06733.001-R-1
PARCEL NO.: 07-01-22-206-026-0000

The parties of record before the Property Tax Appeal Board are Pankaj Wadhawan, the appellant, by attorney Abby L. Strauss, of Schiller Strauss & Lavin PC, in Chicago, 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: \$35,940
IMPR.: \$101,573
TOTAL: \$137,513

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a 2014 Final Administrative Decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) in order to challenge 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 frame construction with 2,826 square feet of living area. The dwelling was constructed in 1996. Features of the home include a full basement with finished area,¹ central air conditioning, a fireplace and an attached two-car garage. The property is located in Naperville, Wheatland Township, Will County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on nine comparable sales located from 1.22-miles to 3.49-miles from the subject property. The comparables consist of two-story dwellings that were built between 1997 and 2007. The homes range in size from 2,472 to 2,954 square feet of living area,

¹ The assessing officials noted in their evidence that the subject property has not been recorded as having a finished basement for assessment purposes despite the appellant's evidence of this feature and the MLS data.

with varying figures reported for several of the comparables.² No data has been reported concerning foundations or basements, if any. Two of the comparables each have a fireplace and four of the comparables indicate they have central air conditioning. Each comparable has a garage. The properties sold between August and October 2016 for prices ranging from \$271,250 to \$480,000 or from \$105.83 to \$178.97 per square foot of living area, including land.

Based on this evidence, the appellant requested a total assessment of \$118,322 which would reflect a market value of approximately \$354,966 or \$125.61 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 \$137,513. The subject's assessment reflects a market value of \$413,573 or \$146.35 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 appellant's evidence, a memorandum from the Wheatland Township Assessor's Office asserted that none of the appellant's comparable sales were located in the subject's subdivision, were distant from the subject and each sold in 2016. Additionally, appellant's comparables #4 and #8 are not located within the township.

In support of its contention of the correct assessment the board of review through the township assessor submitted information on seven comparable sales that occurred in 2016 and within the subject's subdivision. The comparables consist of two-story frame dwellings that were built between 1994 and 1998. The homes range in size from 2,657 to 2,839 square feet of living area, with an unfinished basement, central air conditioning, a fireplace and a garage ranging in size from 420 to 650 square feet of building area. The properties sold between February and October 2016 for prices ranging from \$383,000 to \$470,000 or from \$142.14 to \$168.40 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.

² Comparables #2, #6 and #9 have "tax" size and "MLS" size both listed. For this analysis, the larger figure has been considered.

The parties submitted a total of 16 comparable sales to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to the appellant's comparables which are located from 1.22-miles to 3.49-miles from the subject property.

The Board finds the best evidence of market value to be the board of review comparable sales which are similar to the subject in age, design, size and most features along with being located in the subject's subdivision. These most similar comparables sold between February and October 2016 for prices ranging from \$383,000 to \$470,000 or from \$142.14 to \$168.40 per square foot of living area, including land. The subject's assessment as of January 1, 2015 reflects a market value of \$413,573 or \$146.35 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. 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

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

APPELLANT

Pankaj Wadhawan, by attorney:
Abby L. Strauss
Schiller Strauss & Lavin PC
33 North Dearborn
Suite 650
Chicago, IL 60602

COUNTY

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