



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

APPELLANT: Mike Canino
DOCKET NO.: 15-06774.001-R-1
PARCEL NO.: 23-16-19-302-002-0000

The parties of record before the Property Tax Appeal Board are Mike Canino, the appellant; 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: \$14,562
IMPR.: \$82,640
TOTAL: \$97,202

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 brick dwelling built in 1997. It contains 3,508 square feet of living area and features a full basement with 1,893 square feet of finished area. Other features include central air conditioning, two fireplaces and a 990 square foot garage. The subject's site is approximately one-acre in size and is located in Crete, Crete Township, Will County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant completed Section IV - Recent Sale Data of the appeal and submitted a Settlement Statement disclosing the subject property was purchased on May 21, 2009 for a price of \$291,500 or \$83.10 per square foot of living area, including land. The subject was purchased through a realtor, advertised for sale through the Multiple Listing Service, and the sale was not between family or related corporations.

The appellant also submitted information on five comparable properties located within two blocks of the subject. They are described as two-story frame or brick and frame dwellings ranging in age from 21 to 24 years. They range in size from 2,620 to 4,245 square feet of living area. The comparables feature unfinished basements¹, central air conditioning, one fireplace each and garages that range in size from 533 to 1,065 square feet of building area. They have sites that range in size from .57 of an acre to 1.43 acres. The comparables sold from April 2011 to December 2015 for prices ranging from \$110,000 to \$195,000 or from \$35.82 to \$71.80 per square foot of living area including land. Based on this evidence, the appellant requested the total assessment be reduced to \$71,199 or a market value of approximately \$213,618 or \$60.89 per square foot of living area including land at the statutory level of assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$97,202. The subject's assessment reflects a market value of \$292,337 or \$83.33 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.

With respect to the appellant's evidence, the township assessor cited concerns about the appellant's sales comparables and the recent sale.

In support of its contention of the correct assessment the board of review submitted information on five comparable sales. Board of review comparables #1, #2 and #3 were the same properties as appellant's comparables #1, #3 and #4. They are described as two-story brick and/or frame dwellings ranging in size from 2,620 to 3,888 square feet of living area. The comparables were built from 1975 to 2001. Three feature unfinished basements, one has a finished basement and one is on a slab foundation. The comparables feature central air conditioning, one or two fireplaces and garages that range in size from 770 to 1,065 square feet of building area. The sites range in size from 25,906 to 217,280 square feet of land area. The board of review submitted an aerial photograph depicting the location of the subject and the comparables. The comparables sold from March 2014 to December 2015 for prices ranging from \$110,000 to \$465,900 or from \$35.82 to \$130.47 per square foot of living area including land. Based on this evidence, the board of review requested confirmation of the subject's 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.

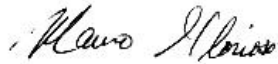
The appellant provided evidence that the subject property sold on May 21, 2009 in an arm's length transaction for a price of \$291,500 or \$83.10 per square foot of living area including land.

¹ In the grid analysis, the appellant states the comparables have finished basements. The property record cards submitted by both the appellant and the board of review indicate only the subject has a finished basement.

The Board finds the sale is dated and calls into question whether the subject's purchase price is indicative of fair cash value.

The Board finds none of the comparables submitted by either party were particularly similar to the subject. The Board gave less weight to board of review comparables #1, #2, #3 and #5 and all five of the appellant's comparables based on dissimilar dwelling sizes, sale date not proximate in time to the subject's assessment date of January 1, 2015, and/or unfinished basements or slab foundations as compared to the subject's finished basement. Despite the larger site size, the Board finds board of review comparable #4 most similar to the subject in location, age, style, exterior construction, dwelling size and features. This comparable sold in July 2015 for \$465,900 or for \$130.47 per square foot of living area including land. The subject's assessment reflects a market value of \$292,337 or \$83.33 per square foot of living area, including land, which is supported by the most similar comparable in the record as well as the dated sale of the subject in 2009 for \$291,500. Based on this evidence the Board finds a reduction in the subject's assessment based on overvaluation 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: April 17, 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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