



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

APPELLANT: AMH 2014 2 BORROWER LLC
DOCKET NO.: 16-00120.001-R-1
PARCEL NO.: 08-06-152-020

The parties of record before the Property Tax Appeal Board are AMH 2014 2 BORROWER LLC, the appellant, by attorney Michael R. Davies, of Ryan Law LLP, in Chicago, and the Winnebago 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 **Winnebago** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$10,176
IMPR.: \$36,310
TOTAL: \$46,486

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Winnebago County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2016 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 split-level dwelling of vinyl exterior construction with 1,374 square feet of living area. The dwelling was constructed in 1997. Features of the home include a partial basement with a finished lower level, central air conditioning, a fireplace and a 576 square foot garage. The property has a 16,256 square foot site and is located in Roscoe, Roscoe Township, Winnebago County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales. The comparables are described as similar in design to the subject dwelling with frame or vinyl exterior construction. The homes are either 19 or 20 years old and range in size from 984 to 1,744 square feet of living area with basements, central air conditioning and garages ranging in size from 528 to 680 square feet of building area. The comparables sold between December 2013 and May 2014 for prices ranging

from \$73,425 to \$115,000 or from \$65.94 to \$76.41 per square foot of living area, including land.

Based on this evidence, the appellant requested a total assessment of \$33,296 which would reflect a market value of approximately \$99,888.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$46,486. The subject's assessment reflects a market value of \$139,388 or \$101.45 per square foot of living area, land included, when using the 2016 three year average median level of assessment for Winnebago County of 33.35% as determined by the Illinois Department of Revenue.

In response to the appellant's evidence of comparable sales, both the board of review and the township assessor asserted incorrectly that "the only evidence submitted by the appellant is the PTAX-203 Illinois Real Estate Transfer Declaration from 2013."

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales. The comparables are described as split-level dwellings of vinyl exterior construction. The homes were built between 1998 and 2000 and range in size from 1,332 to 1,520 square feet of living area with basements, finished lower levels, central air conditioning, a fireplace and garages ranging in size from 664 to 688 square feet of building area. The comparables sold between May 2014 and January 2016 for prices ranging from \$130,000 to \$158,000 or from \$97.60 to \$114.26 per square foot of living area, including land.

Based on this evidence, 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.

The parties submitted a total of eight comparable properties to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparable #3 due to its smaller dwelling size and its dated sale from 2013 which is less likely to be indicative of market value as of January 1, 2016. The Board has also given reduced weight to appellant's comparable #2 and board of review comparable #3 due to their larger dwelling sizes and/or larger garage when compared to the subject property.

The Board finds the best evidence of market value to be appellant's comparable sales #1 and #4 along with board of review comparable sales #1, #2 and #4. These five most similar comparables range in size from 1,332 to 1,374 square feet of living area and sold between January 2014 and January 2016 for prices ranging from \$99,900 to \$157,000 or from \$73.67 to

\$114.26 per square foot of living area, including land. The subject's assessment reflects a market value of \$139,388 or \$101.45 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. After considering adjustments and differences in the comparables, 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(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: July 16, 2019



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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