



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

APPELLANT: Mindaugas Mazeika
DOCKET NO.: 16-00310.001-R-1
PARCEL NO.: 11-04-06-108-004-0000

The parties of record before the Property Tax Appeal Board are Mindaugas Mazeika, the appellant, by Jerri K. Bush, Attorney at Law 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 **A Reduction** 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: \$15,025
IMPR.: \$59,810
TOTAL: \$74,835

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Will 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 one-story dwelling of frame construction with 2,180 square feet of living area. The dwelling was constructed in 1999. Features of the home include a partial basement, central air conditioning, a fireplace and a two-car garage. The property has a 13,094 square foot site and is located in Plainfield, Lockport Township, Will County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased in February, 2015 for a price of \$225,000. The appellant partially completed Section IV – Recent Sale Data of the appeal petition reporting that the subject property was purchased from C&C Investments of Chicago, the parties to the transaction were not related, the property was advertised by a realtor for approximately five months through the Multiple Listing Service. In further support, the appellant provided a copy of the PTAX-203 Illinois Real Estate Transfer Declaration reiterating the purchase price and depicting that the property was advertised for sale. Additionally, the

appellant submitted Multiple Listing Sheet indicating the subject was originally listed for sale for \$264,900 in June 2014 and that the subject was recently updated throughout the home with new kitchen cabinets, granite countertops, stainless steel appliances, hardwood/carpet flooring, painting and a finished basement with rec. room and bath. A copy of the Settlement Statement similarly reflects the purchase price, date of sale and the distribution of broker's fees to two entities. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$85,367. The subject's assessment reflects a market value of \$256,666 or \$117.74 per square foot of living area, land included, when using the 2016 three year average median level of assessment for Will County of 33.26% 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 of properties located in same neighborhood as the subject. The comparable properties are described as one-story dwellings of frame exterior construction ranging in size from 1,755 to 1,969 square feet of living area. The dwellings were constructed in 1998 or 1999. One comparable has a fireplace. Each comparable has central air conditioning and a garage containing 400 square feet of building area. The comparables sold from May 2016 to August 2016 for prices ranging from \$232,000 to \$285,000 or from \$118.97 to \$148.15 per square foot of living area, including land. In addition, the board of review submitted property record cards and PTAX-203 Illinois Real Estate Transfer Declaration forms for the subject and the comparables referenced in their grid analysis. Based on the evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, appellant's attorney submitted a brief arguing the subject property's sale met the criteria of an arms-length transaction and the appellee failed to provide evidence that the subject's sale price was not reflective of market value.

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

The Board finds the best evidence of market value to be the purchase of the subject property in February 2015 for a price of \$225,000. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, the property was sold using a realtor, the property had been advertised on the open market with the Multiple Listing Service and it had been on the market for approximately five months. In further support of the transaction the appellant submitted a copy of the settlement statement, the PTAX-203

Illinois Real Estate Transfer Declaration and a Multiple Listing Sheet indicating the subject property was recently renovated.

The Property Tax Appeal Board further finds the purchase price of \$225,000 is below the market value of \$256,666 as reflected by the subject's assessment. The Board also finds the board of review did not present any evidence to challenge the arm's length nature of the transaction or to refute the contention that the purchase price was reflective of market value. The Board gave less weight to the comparable sales submitted by the board of review as these sales do not overcome the subject's arm's-length sale price.

Based on this record the Board finds the subject property had a market value of \$225,000 as of January 1, 2016. Since market value has been determined the 2016 three-year average median level of assessment for Will County of 33.26% shall apply. 86 Ill.Admin.Code §1910.50(c)(1).

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: May 21, 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

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

APPELLANT

Mindaugas Mazeika, by attorney:
Jerri K. Bush
Attorney at Law
Unit 2E
6903 North Bell Avenue
Chicago, IL 60645

COUNTY

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