



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

APPELLANT: AMH 2014-2 Borrower LLC
DOCKET NO.: 16-00567.001-R-1
PARCEL NO.: 06-03-33-306-001-0000

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 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: \$13,636
IMPR.: \$51,309
TOTAL: \$64,945

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 two-story dwelling of frame exterior construction with 1,663 square feet of living area. The dwelling was constructed in 1996. Features of the home include a full basement, central air conditioning and a 400 square foot garage. The property has a 7,500 square foot site and is located in Plainfield, Plainfield Township, Will County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant disclosed in Section IV – Recent Sale Data of the appeal that the subject property was purchased from John W. and Debra J. in October 2013 for a price of \$187,000. Counsel for the appellant failed to disclose the sellers last names. 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 \$64,945. The subject's assessment reflects a market value of \$195,265 or \$117.42 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. The subject has an improvement assessment of \$64,945 or \$30.85 per square foot of living area.

Initially in response to the appeal, the board of review requested dismissal of the appeal since the appellant failed to comply with the Property Tax Appeal Board's request for additional information. (Citing 86 Ill.Admin.Code §§1910.30(k) and 1910.63(b)). Furthermore, since the incomplete checklist suggested that the sale of the subject property was "too old" to be indicative of market value, the board of review contended in the alternative that the sale price provided by the appellant should be given no weight.

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales that are located in the same subdivision as the subject property. The comparables are improved with two-story dwellings of frame exterior construction that were built in 1995 or 1998. The homes range in size from 1,600 to 1,676 square feet of living area and feature full basements, central air conditioning, a fireplace and either a 400 or 420 square foot garage. The sales occurred in June or July 2015 for prices ranging from \$210,000 to \$225,000 or from \$125.30 to \$138.80 per square foot of living area, including land. These comparables have improvement assessments ranging from \$47,024 to \$51,205 or from \$28.06 to \$32.00 per square foot of living area.

Based on this evidence, the board of review requested the subject's total assessment be increased to \$74,453 with an improvement assessment of \$60,817 or \$36.57 per square foot of living area based on the "median sale per square foot" of the comparables presented.

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 evidence of the subject's 2013 sale price and three comparable sales to support their respective positions before the Property Tax Appeal Board.

The Board finds the best evidence of market value in the record to be the three comparable sales submitted by the board of review. These comparables are similar to the subject in location, dwelling size, design, age and most features. These properties sold proximate in time to the assessment date at issue. The comparables sold in June or July 2015 for prices ranging from \$210,000 to \$225,000 or from \$125.30 to \$138.80 per square foot of living area, including land. The subject's assessment reflects a market value of \$195,265 or \$117.42 per square foot of living area, including land, which falls below the range of the comparable sales in this record. After

considering adjustments to the comparable sales for differences when compared to the subject, the Board finds the estimated market value as reflected by the assessment is supported.

The Board gave little weight to the subject's sale due to the fact the sale did not occur proximate in time to the assessment date at issue. Furthermore, the appellant failed to fully complete Section IV – Recent Sale Data of the appeal and provide evidence demonstrating the purchase had the elements of an arm's-length transaction. Based on this record, the Board finds a reduction in the subject's assessment based on overvaluation is not justified.

As to the board of review request to increase the subject's assessment based upon the median of the three recent sales, the Property Tax Appeal Board finds that the subject's current improvement assessment is greater than the board of review comparable sales. The Will County Board of Review has requested an increase in the subject's improvement assessment to \$60,817 which would be \$36.57 per square foot of living area, which is greater than the per-square-foot improvement assessments of each of the board of review comparable sales. The Board finds an increase in the assessment as requested by the board of review is not justified based on principles of uniformity when comparing the requested assessment to the assessments of the comparables submitted by the board of review. Based on this record, the Property Tax Appeal Board finds a change 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: October 15, 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

AMH 2014-2 Borrower LLC, by attorney:
Michael R. Davies
Ryan Law LLP
311 South Wacker Drive
Mailbox #29
Chicago, IL 60606

COUNTY

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