



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

APPELLANT: AMH 2014-2 Borrower LLC
DOCKET NO.: 16-00616.001-R-1
PARCEL NO.: 05-06-12-312-070-0000

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: \$12,550
IMPR.: \$40,200
TOTAL: \$52,750

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 is improved with a split-level single-family dwelling of frame construction with 1,768 square feet of living area. The dwelling was constructed in 2003. Features of the home include a partial finished basement with 624 square feet of living area, central air conditioning, one bathroom and a two-car attached garage with 528 square feet of building area. The property has a 7,473 square foot site and is located in Joliet, Troy Township, Will County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales described as being improved with two, one-story homes and two, two-story homes ranging in size from 1,768 to 2,016 square feet of living area. The dwellings were built from 1961 to 1965. Each comparable is described as having central air conditioning and a garage. The sales occurred from December 2015 to May 2016 for prices ranging from \$147,500 to \$170,000 or from \$76.64 to \$90.81 per square foot of

living area, land included, based on the appellant's descriptions. The appellant requested the subject's assessment be reduced to \$51,074.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$52,750. The subject's assessment reflects a market value of \$158,599 or \$89.71 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 \$40,200 or \$22.74 per square foot of living area.

In rebuttal the board of review submitted a grid analysis of the appellant's comparables disclosing that comparables #1 and #3 were one-story dwellings with 1,008 and 936 square feet of living area, respectively. The sizes of these comparables were ½ the square footages reported by the appellant. The board of review also indicated that appellant's comparables #2 and #4 were split-level dwellings.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales improved with split-level style dwellings of frame construction that range in size from 1,744 to 1,944 square feet of living area. The dwellings were built in 1995 and 2002. Each comparable has a full basement that range in size from 1,120 to 1,219 square feet with finished areas ranging in size from 624 to 725 square feet. Each comparable has central air conditioning, one fireplace, 1 to 2 bathrooms, and an attached or detached garage each with 528 square feet of building area. The sales occurred from December 2014 to May 2016 for prices ranging from \$165,400 to \$190,500 or from \$90.88 to \$106.59 per square foot of living area, including land. These properties have total assessments ranging from \$55,900 to \$59,850 and improvement assessments ranging from \$43,350 to \$47,300 or from \$24.33 to \$24.86 per square foot of living area.

Based on this evidence the board of review requested the subject's total assessment be increased to \$60,230 and the improvement assessment be increased to \$47,680 or \$26.97 per square foot of living area.

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 record contains seven sales submitted by the parties to support their respective positions. The Board gives little weight to the appellant's comparables due to differences from the subject in age, style and/or size. The Board finds the best evidence of market value to the comparables submitted by the board of review. These properties were most similar to the subject in size, style and age. The comparables were also similar to the subject in features with the exception each has a larger basement, each has a fireplace that the subject does not have, and two comparables

have more bathrooms than the subject property. These board of review comparables sold for prices ranging from \$165,400 to \$190,500 or from \$90.88 to \$106.59 per square foot of living area, including land. The subject's assessment reflects a market value of \$158,599 or \$89.71 per square foot of living area, including land, which is slightly below the range established by the best comparable sales in this record but well supported given the subject's slightly inferior features. Based on this evidence the Board finds a reduction in the subject's assessment is not justified.

The Board denies the board of review request to increase the subject's assessment as the evidence disclosed there exists a practical uniformity of assessments between the comparables presented by the board of review and the subject property. (See Apex Motor Fuel Co. v. Barrett, 20 Ill.2d 395 (1960)). The board of review comparables have improvement assessments ranging from \$24.33 to \$24.86 per square foot of living area. The subject's improvement assessment is \$22.74 per square foot of living area, slightly below the range established by the board of review comparables but justified based on its inferior features such as a smaller basement, lack of a fireplace and fewer bathrooms. Increasing the subject's assessment as requested by the board of review would result in an inequitable assessment of the subject property in contrast with the assessments of the comparables provided by the board of review.

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

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