



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

APPELLANT: American Homes 4 Rent Pro
DOCKET NO.: 16-00631.001-R-1
PARCEL NO.: 21-14-20-401-030-0000

The parties of record before the Property Tax Appeal Board are American Homes 4 Rent Pro, 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: \$3,502
IMPR.: \$33,336
TOTAL: \$36,838

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 townhouse of frame exterior construction with 1,559 square feet of living area. The dwelling was constructed in 2005. Features of the home include a full finished basement, central air conditioning and a 348 square foot garage. The property has a 1,494 square foot site and is located in University Park, Monee Township, Will County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted limited evidence in Section IV – Recent Sale Data of the Residential Appeal petition disclosing the subject property was purchased in July 2014 from Ronald and Amy L. Bol for a price of \$82,500. Appellant's legal counsel was requested to provide additional information to complete the appeal within 30 days. Appellant's counsel failed to respond by the established deadline. Nonetheless, the appeal was accepted and the board of review was simultaneously, but separately, notified of its duty to respond to the appeal within 90 days. Based on this limited

recent sale evidence, the appellant requested a reduction in the subject's assessment to reflect the 2014 purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$36,838. The subject's assessment reflects a market value of \$110,758 or \$71.04 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 response to the appeal, the board of review submitted a letter prepared by the Monee Township Assessor. The assessor notes that the subject property sold twice in 2014 and contends the appellant purchased the subject in November 2014 for a price of \$130,000. The assessor submitted copies of the PTAX-203 Illinois Real Estate Transfer Declarations that relate to the subject's two sales. The appellant is shown as the buyer and Equity Trust Company Custodian, FBO Satendra Singh IRA is shown as the seller in the November 2014 transaction for a price of \$130,000. The July 2014 transaction for a price of \$82,500 was between Ronald and Amy L. Bol as the sellers and Equity Trust Company Custodian, FBO Satendra Singh IRA as the buyer.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales that are located in the same neighborhood as the subject property. The comparables are improved with two-story townhouses of frame exterior construction that were built in 2006 or 2007. The homes each contain 1,559 square feet of living area and feature an unfinished basement, central air conditioning and a 348 square foot garage. In addition, two comparables each have a fireplace. The dwellings are situated on sites ranging in size from 1,494 to 5,187 square feet of land area. The sales occurred from October 2014 to August 2016 for prices ranging from \$120,000 to \$148,850 or from \$76.97 to \$95.48 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 no reduction in the subject's assessment is warranted.

The Board gave less weight to board of review comparable #3 for its sale in 2014 which is dated and less likely to be indicative of the subject's market value as of the January 1, 2016 assessment date. The Board finds the best evidence of market value in the record to be the remaining three comparable sales submitted by the board of review. These comparables were identical to the subject in dwelling size and design and were similar to the subject in location, age and most features. These properties sold from August 2015 to August 2016 for prices ranging from \$120,000 to \$148,850 or from \$76.97 to \$95.48 per square foot of living area, including land. The subject's assessment reflects a market value of \$110,758 or \$71.04 per square foot of living

area, including land, which falls below the range established by the board of review comparables.

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. Moreover, the sale information provided by the appellant's counsel was refuted by the board of review with corroborating evidence disclosing the subject property was purchased by the appellant in November 2014 for a price of \$130,000. Based on this record, 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: 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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