



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

APPELLANT: AMH 2014-2 Borrower LLC
DOCKET NO.: 16-00642.001-R-1
PARCEL NO.: 06-03-30-105-006-0000

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: \$14,904
IMPR.: \$52,635
TOTAL: \$67,539

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 construction with 2,202 square feet of living area. The dwelling was constructed in 2002. Features of the home include a partial basement, central air conditioning, and a two-car attached garage with 420 square feet of building area. The property has an 8,200 square foot site and is located in Plainfield, Plainfield Township, Will County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted limited information on four comparable sales that range in size from 1,943 to 2,470 square feet of living area. The dwellings were constructed in 2003. Each is described as having central air conditioning, two have fireplaces and each has a garage, although the size of the garages reported by the appellant appears to be incorrect. The appellant indicated that two of the dwellings were two-story homes. The properties have sites ranging in size from 8,722 to

9,875 square feet of land area. The sales occurred in April and May 2016 for prices ranging from \$185,264 to \$252,500 or from \$93.14 to \$105.25 per square foot of living area, including land. The appellant requested the subject's assessment be reduced to \$65,393.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$67,539. The subject's assessment reflects a market value of \$203,064 or \$92.22 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 \$52,635 or \$23.90 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales located in the subject's subdivision improved with two-story dwellings of frame construction that range in size from 2,194 to 2,399 square feet of living area. The dwellings were built from 2002 to 2004. Each comparable has a partial or full basement, central air conditioning and a two-car attached garage with 420 or 441 square feet of building area. The sites ranging in size from 8,300 to 9,600 square feet of land area. The sales occurred from April 2015 to May 2016 for prices ranging from \$223,000 to \$252,500 or from \$101.64 to \$105.25. The comparables have total assessments ranging from \$68,752 to \$73,032 and improvement assessments ranging from \$24.23 to \$24.61 per square foot of living area. Board of review sale #3 was the same as appellant's sale #1. Based on this evidence the board of review requested the subject's total assessment be increased to \$76,997 and the improvement assessment be increased to \$62,093 or \$28.20 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 six sales, with one common sale, submitted by the parties to support their respective positions. Less weight was given the appellant's comparables due to the lack of descriptive information about the style and/or features of the homes to allow a more meaningful comparative analysis. Nevertheless, the appellant's comparables sold for prices ranging from \$185,264 to \$252,500 or from \$93.14 to \$105.25 per square foot of living area, including land. More weight was given the board of review comparables due to more complete descriptive data. These properties were relatively similar to the subject and sold for prices ranging from \$223,000 to \$252,500 or from \$101.64 to \$105.25 per square foot of living area, including land. The subject's assessment reflects a market value of \$203,064 or \$92.22 per square foot of living area, including land, which is within the overall price range but below the range on a square foot basis established by the comparable sales in this record. Based on this evidence the Board finds a reduction in the subject's assessment is not justified based on overvaluation.

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)). Board of review comparable #2 is practically identical to the subject in physical attributes but is two years newer and has a full basement. This property has an improvement assessment of \$53,848 or \$24.45 per square foot of living area while the subject has an improvement assessment of \$52,635 or \$23.90 per square foot of living area. The subject's slightly lower improvement assessment is justified due to its age and partial basement. 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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