



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

APPELLANT: AMH 2014-2 Borrower LLC  
DOCKET NO.: 16-00657.001-R-1  
PARCEL NO.: 05-06-03-109-023-0000

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:** \$12,450  
**IMPR.:** \$41,100  
**TOTAL:** \$53,550

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 Fallon model, two-story dwelling of frame exterior construction with 1,320 square feet of living area.<sup>1</sup> The dwelling was constructed in 2001. Features of the home include a full basement, central air conditioning, a fireplace and a 440 square foot garage. The property has an 8,255 square foot site<sup>2</sup> and is located in Troy Township, Will County.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of the overvaluation claim, the appellant submitted limited

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<sup>1</sup> The appellant's grid analysis was void of some pertinent descriptive data, which was drawn from the evidence provided by the board of review.

<sup>2</sup> The parties differ slightly as to the size of the subject's site. The Board finds the discrepancy will not impact the Board's decision in this appeal.

descriptive information for four comparable properties. The appellant did not disclose the comparables' proximity to the subject, exterior construction, foundation type and dwelling size of one comparable. The comparables consist of two, one-story and two, two-story dwellings. The dwellings were built from 1997 to 2006. The comparables range in size from 1,208 to 1,484 square feet of living area. The appellant did not disclose the square footage of living area for the remaining comparable. The comparables each have central air conditioning and three comparables have a fireplace. Two comparables have a 280 or 420 square foot garage. The comparables have site sizes ranging from 1,884 to 7,366 square feet of land area. The comparables sold from December 2015 to June 2016 for prices ranging from \$110,000 to \$160,000 or from \$74.12 to \$126.66 per square foot of living area, land included. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$53,550. The subject's assessment reflects a market value of \$161,004 or \$121.97 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 board of review submitted a letter from the Troy Township Assessor's Office along with additional data. The assessor provided a copy of the appellant's grid analysis that included the missing data the appellant's attorney failed to provide. The assessor claims the appellant's comparables are located from one to two miles from the subject property and that their dwellings are different in design when compared to the subject. The appellant's comparable #1 is a ranch townhome located in a four-unit building, comparable #2 is a one-story duplex and comparables #3 and #4 are two-story condominiums located in a five-unit building while the subject is a two-story single-family dwelling. The assessor disclosed the subject is also assessed for 2016 below the subject's dated February 2013 sale price of \$170,000 or \$128.79 per square foot of living area, including land.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales located in the same neighborhood as the subject property as defined by the local assessor. The comparables consist of Fallon model, two-story dwellings of frame or brick and frame exterior construction built from 1996 to 2004. The dwellings contain either 1,320 or 1,352 square feet of living area and are situated on sites ranging in size from 7,928 to 17,125 square feet of land area. Each comparable has a full basement, central air conditioning and one comparable has a fireplace. The comparables each have a 440 square foot garage. The comparables sold from July 2014 to August 2015 for prices ranging from \$170,000 to \$205,000 or from \$125.74 to \$151.63 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 parties submitted eight suggested comparable sales for the Board's consideration. The Board gave less weight to the comparables submitted by the appellant due to their distant locations from the subject and their dissimilar designs when compared to the subject's two-story single-family design. The Board also gave less weight to board of review comparable #1 as its 2014 sale is dated and less likely to reflect the subject's market value as of the January 1, 2016 assessment date.

The Board finds the best evidence of market value to be the remaining three comparables submitted by the board of review. These comparables are most similar to the subject in location, size, design, age and features. These comparables sold in July or August 2015 for prices ranging from \$180,000 to \$205,000 or from \$136.36 to \$151.63 per square foot of living area, including land. The subject's assessment reflects a market value of \$161,004 or \$121.97 per square foot of living area, including land, which falls below the range established by the best comparable sales in this record. After considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported. Therefore, no reduction in the subject's assessment is warranted.

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.

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Chairman



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Member



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Member

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Member



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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



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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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