



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

APPELLANT: AMH 2015-2 Borrower LLC
DOCKET NO.: 16-00658.001-R-1
PARCEL NO.: 05-06-03-118-006-0000

The parties of record before the Property Tax Appeal Board are AMH 2015-2 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.: \$41,950
TOTAL: \$54,400

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 Skylark model, one-story dwelling of frame exterior construction with 1,577 square feet of living area.¹ The dwelling was constructed in 2001. Features of the home include a crawl space foundation, central air conditioning and a 420 square foot garage. The property has a 7,821 square foot site² and is located in Plainfield, Troy Township, Will County.

¹ The appellant reported the subject consisted of a two-story dwelling with 1,616 square feet of living area, while the board of review reported the subject consisted of a one-story dwelling with 1,577 square feet of living area. The Board finds the best evidence of design and size was the subject's property record card submitted by the board of review that had a schematic diagram and measurements of the dwelling's size. The appellant's grid analysis was void of some pertinent descriptive data, which was drawn from the evidence provided by the board of review.

² 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.

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 descriptive information for four comparable properties. The appellant did not disclose the comparables' proximity to the subject, exterior construction and foundation type. The comparables consist of two-story dwellings that were built in 2003. The dwellings contain either 1,484 or 1,616 square feet of living area. Each comparable has central air conditioning. The comparables have site sizes ranging from 3,457 to 6,384 square feet of land area. The comparables sold from January to June 2016 for prices ranging from \$126,000 to \$164,000 or for \$84.91 to \$101.49 per square foot of living area, land included. Additionally, the appellant's grid analysis disclosed the sale of the subject property in February 2015 for a price of \$130,000 or \$109.07 per square foot of living area, including land. 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 \$54,400. The subject's assessment reflects a market value of \$163,560 or \$103.72 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 three miles from the subject property and that their dwellings are different in design when compared to the subject. The appellant's comparables are two-story townhouses located in a six-unit building while the subject is a one-story single-family dwelling. The assessor refuted the appellant's unsubstantiated claim that the subject property sold in February 2015 for a price of \$130,000. The assessor disclosed the subject is assessed for 2016 below the subject's dated December 2014 sale price of \$170,000 or \$128.79 per square foot of living area, including land. The assessor submitted a copy of the PTAX-203 Real Estate Transfer Declaration associated with the 2014 sale of the subject property along with a print out from the Will County Recorder of Deeds Office indicating there has been no other sale of the subject since 2001.

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 Skylark model, one-story dwellings of frame or brick and frame exterior construction built from 1995 to 2002. The dwellings contain 1,577 square feet of living area and are situated on sites ranging in size from 7,783 to 8,913 square feet of land area. One comparable has a crawl space foundation and three comparables have a part basement and part crawl space foundation. The comparables have central air conditioning and two comparables have a fireplace. The comparables each have a 420 square foot garage. The comparables sold from January 2014 to June 2016 for prices ranging from \$165,000 to \$191,000 or from \$104.63 to \$121.12 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 two-story townhouse designs when compared to the subject's one-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 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 from February 2015 to June 2016 for prices ranging from \$185,000 to \$191,000 or from \$117.31 to \$121.12 per square foot of living area, including land. The subject's assessment reflects a market value of \$163,560 or \$103.72 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.

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: May 21, 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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