



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

APPELLANT: AMH 2015-1 Borrower LLC
DOCKET NO.: 16-00664.001-R-1
PARCEL NO.: 05-06-04-102-005-0000

The parties of record before the Property Tax Appeal Board are AMH 2015-1 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: \$11,700
IMPR.: \$47,400
TOTAL: \$59,100

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 exterior construction with 2,220 square feet of living area.¹ The dwelling was constructed in 2005. Features of the home include a part basement and part crawl space foundation, central air conditioning and a 420 square foot garage. The property has a 9,005 square foot site² and is located in Troy Township, Will County.

¹ 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 three 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 ranging in size from 2,844 to 3,342 square feet of living area. The dwellings were built from 2001 to 2005. The comparables each have central air conditioning and one comparable has a fireplace. The comparables have either a 440 or 483 square foot garage. The comparables have site sizes ranging from 6,540 to 8,400 square feet of land area. The comparables sold from February 2015 to February 2016 for prices ranging from \$170,000 to \$210,000 or from \$56.89 to \$68.56 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 \$59,100. The subject's assessment reflects a market value of \$177,691 or \$80.04 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.

The board of review submitted a letter from the Troy Township Assessor's Office along with additional data. The assessor asserts the appellant's grid analysis is inaccurate with omitted information. The assessor provided a copy of the appellant's grid analysis that included corrections and the missing data the appellant's attorney failed to provide. The assessor claims two of the appellant's comparables are located outside of the subject's neighborhood as defined by the local assessor and one mile from the subject property. The assessor also claims the correct dwelling sizes of the comparables range from 1,796 to 2,228 square feet of living area³ and sold for prices ranging from \$87.13 to \$108.57 per square foot of living area. The assessor disclosed the subject is also assessed for 2016 below the subject's dated June 2014 sale price of \$213,000 or \$95.95 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, however comparable #1 is the subject property. The comparables consist of two-story dwellings of brick and frame exterior construction built in 2003 or 2004. The dwellings contain 2,386 square feet of living area and are situated on sites ranging in size from 8,346 to 11,005 square feet of land area. Each comparable has a part basement and part crawl space foundation, central air conditioning and one comparable has a fireplace. The comparables each have a 420 or 640 square foot garage. The comparables sold from August 2013 to December 2014 for prices ranging from \$190,000 to \$227,000 or from \$79.63 to \$95.14 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

³ The Board finds the best evidence of dwelling size of the appellant's comparables were their property record cards submitted by the board of review that had a schematic diagram and measurements of each comparables' dwelling.

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 six suggested comparable sales for the Board's consideration. The Board gave less weight to the appellant's comparable #1 due to its smaller dwelling size when compared to the subject, along with comparables #2 and #3 due to their distant locations from the subject. The Board also gave less weight to board of review comparable #2 as its 2013 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 two 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 November or December 2014 for prices of \$225,000 and \$227,000 or for \$94.30 and \$95.14 per square foot of living area, including land. The subject's assessment reflects a market value of \$177,691 or \$80.04 per square feet of living area, including land, which is supported by the most similar comparable sales in this record. After considering adjustments to the comparable sales for differences when compared to the subject, the Board finds the estimated market value as reflected by the assessment is supported and 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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