



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

APPELLANT: AMH 2014-2 Borrower LLC
DOCKET NO.: 16-00669.001-R-1
PARCEL NO.: 05-06-04-102-016-0000

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: \$11,700
IMPR.: \$51,300
TOTAL: \$63,000

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 part two-story and part one-story dwelling of frame construction with 2,235 square feet of living area. The dwelling was constructed in 2000. Features of the home include a partial unfinished basement, central air conditioning and a 620 square foot garage. The property has an 8,793 square foot site and is located in Plainfield, Troy Township, Will County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted limited data on four sales in the Section V grid analysis that occurred between February and June 2016 for prices ranging from \$172,000 to \$195,000 or from \$74.91 to \$94.91 per square foot of living area, including land. The comparables range in size from 2,044 to 2,298 square feet of living area and were built between 1991 and 2001. The homes each have central air conditioning; one has a fireplace; and two comparables have garages of 288 and

428 square feet, respectively. The appellant provided no story height or basement finish information for the comparables. While the appellant was requested to provide additional information to complete the appeal including more than one comparable sale, by letter dated November 30, 2017 by the Property Tax Appeal Board, 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. The appellant requested the subject's total assessment be reduced to \$60,998.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$63,000. The subject's assessment reflects a market value of \$189,417 or \$84.75 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 through the township assessor requested dismissal since the appellant did not respond to the incomplete checklist. In addition, the township assessor contended that two of the comparables presented by the appellant were outside the neighborhood and taxing district; furthermore, two of the comparables "are outside of the assessment years as they sold in May of 2016."

In support of its contention of the correct assessment the board of review submitted information on four comparable sales and reported the November 2013 sale of subject for \$223,000. The comparables are located in the same subdivision as the subject and are improved with a part two-story and part one-story and three, two-story frame or frame with brick trim dwellings that range in size from 2,054 to 2,264 square feet of living area. The dwellings were constructed between 1997 and 2003. Each home has a basement, central air-conditioning, two comparables each have a fireplace and each home has a garage ranging in size from 400 to 441 square feet of building area. The properties sold between April 2015 and May 2016 for prices ranging from \$190,000 to \$218,000 or from \$83.92 to \$103.81 per square foot of living area, including land.

Based on the foregoing evidence and argument, 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 a reduction in the subject's assessment is not warranted.

Little weight was given the appellant's evidence as it contained no descriptive information about the dwellings to allow the Property Tax Appeal Board to conduct a meaningful comparative analysis of the comparable sales to the subject property.

The Board finds the best evidence of market value to be the board of review comparable sales. These most similar comparables sold between April 2015 and May 2016 for prices ranging from

\$190,000 to \$218,000 or from \$83.92 to \$103.81 per square foot of living area, including land. The subject's assessment reflects a market value of \$189,417 or \$84.75 per square foot of living area, including land, which is within the range established by the best comparable sales in this record both in terms of overall value and on a per-square-foot basis. Based on this evidence the Board finds a reduction in the subject's assessment 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: July 16, 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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