



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

APPELLANT: American Homes 4 Rent Pro
DOCKET NO.: 16-00803.001-R-1
PARCEL NO.: 05-06-12-103-033-0000

The parties of record before the Property Tax Appeal Board are American Homes 4 Rent Pro, 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 **An Increase** 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: \$12,550
IMPR.: \$43,344
TOTAL: \$55,894

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 split-level dwelling of frame construction with 1,744 square feet of living area. The dwelling was constructed in 1997. Features of the home include a full basement with finished area, central air conditioning and a 360 square foot garage. The property has an 8,473 square foot site and is located in Joliet, Troy Township, Will County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted limited evidence in Section IV – Recent Sale Data of the Residential Appeal petition disclosing the subject property was purchased in July 2013 from "Robin & Timothy" for a price of \$155,000. While the appellant was requested to provide additional information to complete the appeal, 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. Based on this limited recent sale evidence, the appellant requested a reduction in the subject's assessment to reflect the 2013 purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$52,650. The subject's assessment reflects a market value of \$158,298 or \$90.77 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.

Initially in response to the appeal, the board of review requested dismissal of the appeal since the appellant failed to comply with the Property Tax Appeal Board's request for additional information.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales identified by the township assessor improved with split-level dwellings of frame or frame and brick exterior construction ranging in size from 1,744 to 1,792 square feet of living area that were located in close proximity to the subject property and within the subject's subdivision. The dwellings were constructed between 1995 and 2001 with features that include full or partial basements with finished area, central air conditioning and a 528 or 624 square foot garage. Three comparables also each have a fireplace. These properties sold from March 2013 to May 2016 for prices ranging from \$158,000 to \$185,900 or from \$88.17 to \$106.59 per square foot of living area.

Based on the foregoing evidence and argument, the board of review requested an increase in the assessment of the subject property to reflect the median sales price or a new total assessment of \$55,894 which would reflect a market value of \$168,052 or \$96.36 per square foot of living area, including land.

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 parties submitted data concerning the sale of the subject and four comparable sales to support their respective positions before the Property Tax Appeal Board.

The Board gave little weight to the subject's June 2013 sale and board of review sales #1 and #3 that occurred in March and July 2013, respectively, due to the fact these sales did not occur as proximate in time to the assessment date at issue of January 1, 2016 as did the remaining two comparable sales in the record. In addition, there was no evidence presented by the appellant that the sale transaction had any of the elements of an arm's length transaction as there was no indication if the property sold between related parties; there was no indication whether the

property advertised or exposed on the open market prior to the sale; and/or there was no evidence whether the transaction occurred between a willing seller and a willing buyer.

The Board finds the best evidence of market value in the record to be the comparable sales #2 and #4 submitted by the board of review. These comparables were similar to the subject in location, age, size, style, construction and/or features. These properties also sold proximate in time to the assessment date at issue. The comparables sold in April 2014 and May 2016 for prices of \$160,000 and \$185,900 or for \$91.74 and \$106.59 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$158,298 or \$90.77 per square foot of living area, including land, which is below the best comparable sales in this record in terms of both overall value and on a per-square-foot basis.

As to the board of review request to increase the subject's assessment based upon the median of the four recent sales,¹ the Property Tax Appeal Board finds the subject's current improvement assessment of \$40,100 is below each of the improvement assessments of the four board of review comparable sales. With the Will County Board of Review request for an increase in the subject's total assessment to \$55,894, this would raise the estimated market value of the subject to \$168,052 and would place the subject between the best two comparables presented by the board of review in terms of estimated market values of \$167,700 and \$175,950, based on their assessments. As depicted in the grid analysis, all four comparable properties have estimated values ranging from \$167,700 to \$175,950; the Board finds that this requested increase in the subject's total assessment brings the subject closer within the range of the comparables in terms of both assessment and estimated market value.

On this record, after considering adjustments for differences between the subject and the board of review comparables, the Property Tax Appeal Board finds that an increase in the assessment of the subject property is warranted.

¹ There is a typographical error in the board of review's increase request; the land assessment was also reportedly increased, however, the numbers do not add up correctly if an increase in the uniform land assessment were to be applied.

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: August 20, 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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