



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

APPELLANT: American Homes 4 Rent Pro
DOCKET NO.: 16-00807.001-R-1
PARCEL NO.: 05-06-08-406-001-0000

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 **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: \$14,150
IMPR.: \$50,431
TOTAL: \$64,581

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 1,498 square feet of living area. The dwelling was constructed in 1999. Features of the home include a full basement, central air conditioning and a 672 square foot integral garage. The property is located in Shorewood, 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 asserting the subject property was purchased in February 2015 from "Kimberly S. Najewski" for a price of \$80,000. 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 2015 purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$64,581. The subject's assessment reflects a market value of \$194,170 or \$129.62 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 and the township assessor requested dismissal of the appeal since the appellant failed to comply with the Property Tax Appeal Board's request for additional information.

In response to the appellant's sales data, the township assessor supplied a copy of a PTAX-203 for parcel 05-06-08-406-001-0000 depicting a property located at 544 Center Avenue, Sycamore in Troy Township was sold in February 2015 by Kimberly S. Najewski to Celeste and Marvin Miller for \$80,000. As noted by the assessor, the named appellant American Homes 4 Rent Pro was not the purchaser in that transaction.

In support of its contention of the correct assessment, the board of review through the township assessor reported that the subject property sold in January 2015 to the appellant American Homes 4 Rent Properties Ten, LLC for \$199,751 where the seller was the Will County Sheriff's Office. A copy of the PTAX-203 for parcel "06-08-406-001" [*sic*] located at 214 Turnbridge Drive, Shorewood, Troy Township, depicts this was a court-ordered sale, an auction sale and the buyer is a real estate investment trust. The document additionally depicts that the property was not advertised prior to the sale transaction.

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 \$66,577 which would reflect a market value of approximately \$199,731, including land, or the January 2015 purchase price.

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 both submitted data concerning the sale of the subject property. The Board gave little weight to the appellant's sale evidence for \$80,000 that reportedly occurred in February 2015 since the supporting documentation supplied by the board of review does not depict a purchase of this property by the appellant American Homes 4 Rent Pro. Instead, the property was purchased by Celeste and Marvin Miller who are not appellants to this pending appeal.

The board of review's submission depicts that a property located at 214 Turnbridge Drive in Shorewood, purportedly with parcel number 05-06-08-406-001-0000, was purchased by the appellant in January 2015 for \$199,751 from the Will County Sheriff's Office. The Board also gave reduced weight to the subject's January 2015 sale price since the board of review did not provide evidence demonstrating the sale had the elements of an arm's length transaction. The documentation depicts that the property had not been advertised on the open market prior to the sale transaction. Furthermore, the fact that the property was sold by the Will County Sheriff's Office suggests that there was duress involved in the sale transaction which may not be reflective of an arm's length sale transaction.

Based on this record, the Board finds neither a reduction nor an increase 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



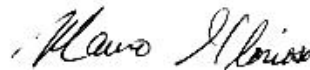
Member

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: 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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