



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

APPELLANT: AMH 2014-2 Borrower LLC AT
DOCKET NO.: 16-00809.001-R-1
PARCEL NO.: 07-01-21-205-006-0000

The parties of record before the Property Tax Appeal Board are AMH 2014-2 Borrower LLC AT, 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: \$26,177
IMPR.: \$53,783
TOTAL: \$79,960

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 1,918 square feet of living area. The dwelling was constructed in 1997. Features of the home include an unfinished basement, central air conditioning and a 443 square foot garage. The property has an 8,030 square foot site¹ and is located in Plainfield, Wheatland Township, Will County.

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 ranging in size from 1,673 to 2,204 square feet of

¹ The board of review's grid analysis did not disclose the subject's site size, which was drawn from the evidence provided by the appellant.

living area. The dwellings were built in 2000 or 2001. Two comparables have a fireplace. The comparables each have a garage ranging in size from 424 to 468 square feet of building area. The comparables have site sizes ranging from 7,960 to 8,785 square feet of land area. The comparables sold from November 2015 to April 2016 for prices ranging from \$235,000 to \$268,500 or from \$121.82 to \$144.05 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 \$79,960. The subject's assessment reflects a market value of \$240,409 or \$125.34 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 Wheatland Township Assessor's Office along with additional data. The assessor asserts the appellant's comparable #1 is the only comparable that sold for less than the subject's current market value based on its 2016 assessment.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales located in the same neighborhood code as the subject property as defined by the local assessor. Comparables numbered 3 and 4 reflect two sales of the same property. The comparables consist of two-story dwellings of frame exterior construction built in 1998 or 2000. The dwellings contain 1,892 or 1,894 square feet of living area. The board of review did not disclose the comparables' site sizes. Two comparables have an unfinished basement. The comparables each have central air conditioning, a fireplace and 420 or 468 square foot garage. The comparables sold from February to November 2016 for prices of \$250,000 and \$263,750 or from \$132.00 to \$139.26 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, one property was reported to have sold twice. The Board gave less weight to the comparables submitted by the appellant since the appellant's attorney failed to provide specifics regarding the comparables locations, design, exterior construction and foundation type for a comparative analysis, which detracts from the weight of the evidence.

The Board finds the best evidence of market value to be the comparable sales submitted by the board of review with one property having two reported sales. These comparables are most similar to the subject in location, size, design, age and features. These comparables sold from

February to November 2016 for prices of \$250,000 and \$263,750 or from \$132.00 to \$139.26 per square foot of living area, including land. The subject's assessment reflects a market value of \$240,409 or \$125.34 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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