



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

APPELLANT: AMH 2015-1 Borrower LLC AT
DOCKET NO.: 16-00850.001-R-1
PARCEL NO.: 06-03-33-307-001-0000

The parties of record before the Property Tax Appeal Board are AMH 2015-1 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: \$13,636
IMPR.: \$59,355
TOTAL: \$72,991

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 2,309 square feet of living area. The dwelling was constructed in 1996. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a 440 square foot garage. The property has an 8,100 square foot site and is located in Plainfield, Plainfield Township, Will County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted limited information on four comparable sales. In the Section V grid analysis of the appeal petition, the appellant described comparables #2, #3 and #4 as two-story dwellings. The appellant was requested to provide additional information to complete the appeal by letter dated August 10, 2017 by the Property Tax Appeal Board. The appellant did not provide the information, but 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 comparables were built in 1996 or 2000 and range in size from 2,044 to 2,624 square feet of living area. The comparables each have central air conditioning. The appellant reported that the garages contain either 180 or 428 square feet of building area. Comparable #4 has a fireplace. The sales occurred from January 2016 to May 2016 for prices ranging from \$159,000 to \$236,000. The appellant requested the subject's total assessment be reduced to \$70,672.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$72,991. The subject's assessment reflects a market value of \$219,456 or \$95.04 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.

Initially in response to the appeal, the board of review and township assessor both suggested dismissal of the appeal since the appellant failed to comply with the Property Tax Appeal Board's request for additional information. Furthermore, since the incomplete checklist suggested that section V be completed and/or property record cards be submitted and the appellant failed to provide sufficient information to prove the properties listed are comparable to the subject, therefore, the appellant's comparables should hold no weight in determining value.

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales identified by the township assessor. The three comparables are improved with two-story dwellings of frame exterior construction. The comparables contain 2,392 square feet of living area and are located within the subject's subdivision. The dwellings were built in 1998 and 1999 with a full unfinished basement, central air conditioning and a garage that contains 420 square feet of building area. Two comparables also have a fireplace. The comparables have sites ranging in size from 7,400 to 8,800 square feet of land area. These properties sold from April 2015 to October 2015 for prices ranging from \$230,000 to \$252,000 or from \$96.15 to \$105.35 per square foot of living area, land included.

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 \$79,799 which would reflect a market value of \$239,925 or \$103.91 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 Board finds the best evidence of market value in the record to be the three comparable sales submitted by the board of review. These comparables were similar in location, dwelling size, site size, age and features. These properties also sold proximate in time to the assessment date at

issue. The comparables sold from April 2015 to October 2015 for prices ranging from \$230,000 to \$252,000 or from \$96.15 to \$105.35 per square foot of living area, including land. The subject's assessment reflects a market value of \$219,456 or \$95.04 per square foot of living area, land included, which is below the range established by the best comparable sales in this record.

As to the board of review's request to increase the subject's assessment based upon the median of the three recent sales, the Property Tax Appeal Board finds the subject's current total assessment of \$72,991 is below the total assessments of the board of review comparable sales. Although the Will County Board of Review has requested an increase in the subject's total assessment to \$79,799, which would raise the estimated market value of the subject to \$239,925, this would place the subject substantially above the estimated market value of two comparables presented by the board of review as depicted in the grid analysis; the comparables have estimated market values based upon their assessments of \$222,910 or \$231,398. As is depicted in the grid analysis, two of these comparable sales are under-valued based upon their respective recent sales prices.

On this record, the Property Tax Appeal Board finds that the subject is not overvalued and no reduction or increase in the assessment of the subject property 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: September 17, 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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