



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

APPELLANT: American Homes 4 Rent Pro
DOCKET NO.: 16-00851.001-R-1
PARCEL NO.: 22-22-16-210-038-0000

The parties of record before the Property Tax Appeal Board are American Homes 4 Rent Pro, the appellant, by attorney Michael R. Davies of the Law Offices of Michael R. Davies, Ltd., in Oak Lawn; 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: \$11,390
IMPR.: \$55,300
TOTAL: \$66,690

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 brick and frame construction that contains 2,498 square feet of living area. The dwelling was constructed in 2007. The home features central air conditioning, a fireplace and a 721 square foot attached garage. The subject has an 8,473 square foot site. The subject property is located in Washington Township, Will County, Illinois.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant partially completed Section IV of the residential appeal petition. The appeal petition depicts the subject property sold for \$175,000 in March 2013. Appellant's counsel failed to disclose whether the sale involved family or related corporations or if the property was advertised for sale. The appellant's legal counsel failed to submit any corroborating evidence of the sale such as the settlement statement, sales

contract or Real Estate Transfer Declaration. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect its sale price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject property of \$66,690. The subject's assessment reflects an estimated market value of \$200,511 or \$80.27 per square foot of living area including land area when applying Will County's 2016 three-year average median level of assessment of 33.26%.

In support of the subject's assessment, the board of review submitted an analysis of four comparable sales. The evidence was prepared by the township assessor. Three comparables are located within the same neighborhood code as the subject. The comparables consist of two-story dwellings of brick and frame exterior construction that were built from 2003 to 2007. The dwellings range in size from 2,546 to 2,794 square feet of living area. Features had varying degrees of similarity when compared to the subject. The comparables sold from January 2015 to September 2016 for prices ranging from \$208,000 to \$225,000 or from \$76.13 to \$81.55 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 as a basis of the appeal. 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.

The Board gave no weight to the subject's March 2013 purported sale price. The Board finds the appellant's attorney failed to submit any corroborating evidence of the sale of the subject property such as the settlement statement, sales contract or Real Estate Transfer Declaration. Appellant's counsel failed to disclose whether the sale involved family or related corporations or if the property was advertised for sale, key elements in determining whether the sale meets the criteria of an arm's-length transaction. Finally, the Board finds the subject's sale may have occurred over two years prior to the subject's January 1, 2016 assessment date and is therefore dated and less indicative of market value. The board of review submitted four comparable sales that had varying degrees of similarity when compared to the subject in location, design, age, dwelling size and features. They sold from January 2015 to September 2016 for prices ranging from \$208,000 to \$225,000 or from \$76.13 to \$81.55 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$200,511 or \$80.27 per square foot of living area including land, which falls below the range established by the most similar comparable sales contained in the record on an overall basis and within the range on a per square foot basis. After considering any necessary 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 change 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: April 23, 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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COUNTY

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