



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

APPELLANT: American Homes 4 Rent Pro
DOCKET NO.: 16-00862.001-R-1
PARCEL NO.: 05-06-17-101-016-0000

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: \$15,250
IMPR.: \$61,350
TOTAL: \$76,600

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 with brick trim exterior construction with 2,174 square feet of living area. The dwelling was constructed in 2003. Features of the home include a full lookout basement, central air conditioning, a fireplace and a 588 square foot garage. The property has a 11,646 square foot site and is located in Shorewood, Troy Township, Will County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant partially completed Section IV of the Residential Appeal petition indicating the subject property was purchased in September 2014 from the Will County Sheriff for a price of \$192,801. The appeal was returned for being incomplete. Appellant's legal counsel was advised the September 2014 sale was too old for a "Recent Sale" consideration and to provide an alternative basis of the appeal with corroborating evidence. Appellant's counsel failed to respond by the established

deadline. Nonetheless, 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 2014 purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$76,600. The subject's assessment reflects a market value of \$230,307 or \$105.94 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 support of its contention of the correct assessment, the board of review submitted information on four comparable sales identified by the township assessor that are located in the same subdivision as the subject. The comparables are improved with two-story dwellings of frame with brick trim exterior construction. The comparables range in size from 2,158 to 2,340 square feet of living area. The dwellings were built from 2003 to 2005 with features that include a full unfinished basement, central air conditioning and a garage ranging in size from 483 to 693 square feet of building area. Three comparables have a fireplace. These properties sold from May 2014 to February 2016 for prices ranging from \$222,000 to \$278,000 or from \$102.87 to \$127.06 per square foot of living area, land included.

Based on the foregoing evidence and argument, the board of review requested that the assessment be confirmed.

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 comparable sales #2, #3 and #4 submitted by the board of review. These comparables were similar to the subject in location, style, dwelling size, construction, age and features. These properties also sold proximate in time to the assessment date at issue. The comparables sold from December 2015 to February 2016 for prices ranging from \$250,000 to \$278,000 or from \$106.84 to \$127.06 per square foot of living area, land included. The subject's assessment reflects a market value of \$230,307 or \$105.94, including land, which is below the range on both the total market value and the price per square foot basis, land included, as established by the best comparable sales in this record. The Board gave little weight to the board of review's comparable #1 based on its May 2014 sale date that did not occur proximate in time to the assessment date at issue of January 1,

2016. The Board also gave little weight to the subject's September 2014 sale due to the fact the sale did not occur proximate in time to the assessment date at issue of January 1, 2016 and 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 was 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.

On this record, the Property Tax Appeal Board finds that the subject is not overvalued and no reduction 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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COUNTY

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