



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

APPELLANT: JXE Investments LLC  
DOCKET NO.: 16-01106.001-R-1  
PARCEL NO.: 21-14-02-213-010-0000

The parties of record before the Property Tax Appeal Board are JXE Investments LLC, the appellant, by attorney Jessica Hill-Magiera in Lake Zurich; and the Will County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds a reduction 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:** \$5,684  
**IMPR.:** \$6,816  
**TOTAL:** \$12,500

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 one-story dwelling of frame construction with 1,092 square feet of living area. The dwelling was constructed in 1954. Features of the home include a slab foundation, three bedrooms, one bathroom and a one-car attached garage with 320 square feet of building area. The property has a 7,304 square foot site and is located in Park Forest, Monee Township, Will County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on ten comparable sales improved with one-story dwellings each with 1,092 square feet of living area. The comparables were constructed from 1953 to 1957. Each comparable has a slab foundation, one bathroom, and a one-car or a two-car garage ranging in size from 280 to 484 square feet of building area. Five comparables have central air conditioning. The sales occurred from May 2015 to April 2016 for prices ranging from \$7,500

to \$45,000 or from \$6.87 to \$37.09 per square foot of living area, including land. The appellant requested the subject's assessment be reduced to \$10,832.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$24,278. The subject's assessment reflects a market value of \$72,995 or \$66.84 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.

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 comparables are improved with one-story dwellings of frame construction each with 1,092 square feet of living area. The dwellings were built in 1952, 1957 and 1956, respectively. Each property has a slab foundation, one bathroom and a garage that range in size from 280 to 352 square feet of building area. Two comparables have central air conditioning. These properties have sites that range in size from 7,011 to 7,441. The sales occurred in March 2014 or February 2015 for prices ranging from \$81,500 to \$111,161 or from \$74.63 to \$101.80 per square foot of living area. The assessor also indicated the comparables have improvement assessments ranging from \$18,434 to \$18,700 or from \$16.88 to \$17.12 per square foot of living area. The subject has an improvement assessment of \$18,434 or \$16.88 per square foot of living area. The board of review requested no change be made to the assessment.

In rebuttal appellant's counsel asserted that board of review sale #1 was not advertised for sale and submitted a copy of the PTAX-203 Illinois Real Estate Transfer Declaration associated with the purchase to support this contention. Counsel asserted that board of review comparables #2 and #3 were acceptable comparable sales but argued when considering all the acceptable sales a reduction in the assessment is justified.

### **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 met this burden of proof and a reduction in the subject's assessment is warranted.

The record contains thirteen sales submitted by the parties to support their respective positions. The Board gives little weight to board of review sale #1 as the property was not advertised for sale and the transaction occurred in March 2014, not proximate in time to the assessment date at issue. The Board gives little weight to appellant's sale #6 that sold for \$7,500 in June 2015 and appears to be an outlier with reference to the prices of the remaining sales. The Board finds six sales have central air conditioning, an amenity not enjoyed by the subject property, requiring a downward adjustment to their sale prices to make them more equivalent to the subject dwelling. The four remaining sales that were most similar to the subject in features were appellant's sales #1, #3, #8 and #9. These properties sold for prices ranging from \$21,200 to \$45,000 or from \$19.41 to \$41.21 per square foot of living area, land included. The board of review submitted no

evidence challenging the arm's length nature of sales presented by the appellant. The subject's assessment reflects a market value of \$72,995 or \$66.84 per square foot of living area, including land, which is greater than all but two of the best comparables in this record and those two comparables have central air conditioning, a feature the subject does not have. Based on this evidence and considering the best sales most similar to the subject property in features, the Board finds a reduction in the subject's assessment is justified.

The Board gives little weight to the board of review assessment equity evidence as this evidence is not responsive to the appellant's market value argument.

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.

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Chairman



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Member



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Member

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Member



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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



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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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