



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

APPELLANT: Joseph Goldschmidt  
DOCKET NO.: 16-01159.001-R-1  
PARCEL NO.: 07-01-35-401-028-0000

The parties of record before the Property Tax Appeal Board are Joseph Goldschmidt, 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:** \$75,244  
**IMPR.:** \$154,756  
**TOTAL:** \$230,000

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 is improved with a two-story dwelling of brick and frame construction with 4,493 square feet of above grade living area. The dwelling was constructed in 1999. Features of the home include a basement that is partially finished, central air conditioning, two fireplaces and a three-car garage attached garage with 693 square feet of building area. The property is located in Plainfield, Wheatland Township, Will County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on March 7, 2014 for a price of \$570,584. A copy of the settlement statement submitted by the appellant identified the seller as Henry Johnson, Jr. The appellant indicated the parties to the transaction were not related, the property was sold through Realtor, and the property had been listed in the Multiple Listing Service (MLS). The appellant also provided a copy of the MLS listing of the subject property

disclosing the property was listed for sale on January 2, 2013, the property was off the market and under contract on May 20, 2013, and the property closed on March 3, 2014. The listing also disclosed the transaction was a short sale.

The appellant also provided information on four comparable sales improved with two-story dwellings that range in size from 3,932 to 4,096 square feet of living area. The dwellings were built from 1992 to 2000. Each home has a basement, central air conditioning, one fireplace and a garage ranging in size from 641 to 882 square feet of building area. The sales occurred from June 2015 to July 2016 for prices ranging from \$372,750 to \$635,000 or from \$94.80 to \$158.75 per square foot of living area, land included.

Based on this evidence, the appellant requested a reduction in the subject's assessment to \$175,881 to reflect a market value of \$527,696 or \$117.45 per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$240,698. The subject's assessment reflects a market value of \$723,686 or \$161.07 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 four comparable sales selected by the Wheatland Township Assessor's Office improved with two-story dwellings of frame construction that range in size from 4,098 to 4,795 square feet of living area. The dwellings were built from 1997 to 2001. Each comparable has a basement that is partially finished, central air conditioning, one or two fireplaces and a garage ranging in size from 690 to 842 square feet of building area. The sales occurred in December 2015 and May 2017 for prices ranging from \$685,000 to \$875,000 or from \$150.29 to \$213.52 per square foot of living area, including land.

In rebuttal the Wheatland Township Assessor's Office indicated that each of the appellant's sales was smaller than the subject property and comparable #2 was a bank sale.

The board of review requested no change be made to the assessment.

In rebuttal the appellant indicated that board of review comparables #1 and #2 were acceptable comparables but sales #3 and #4 sold in 2017 and were not acceptable based on their dates of sale.

### **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 evidence in the record supports a reduction in the subject's assessment.

Initially, the Board gives little weight to the sale of the subject property. The record disclosed this property was under contract and off the market in May 2013, approximately 31 months prior to the assessment date, and did not close until March 2014 approximately 21 months prior to the assessment date. The Board finds these dates are not as proximate in time to the assessment date as are the best sales submitted by the parties and the price is not reflective of fair cash value as of January 1, 2016.

The record also contains eight sales provided by the parties to support their respective positions. The Board gives less weight to appellant's comparable #4 as the price seems to be an outlier at \$94.80 per square foot of living area, which is approximately 27% lower than the next comparable. The Board gives less weight to board of review sales #3 and #4 as these properties sold in May 2017, approximately 17 months after the assessment date at issue. The remaining sales provided by the parties have varying degrees of similarity to the subject property and sold from July 2015 to July 2016 for prices ranging from \$525,000 to \$775,000 or from \$129.28 to \$172.18 per square foot of living area, including land. The comparable at the high end of the range has a slightly larger basement with more finished area than the subject property and a larger garage than the subject property, requiring a downward adjustment. The four remaining sales have a tighter range from \$525,000 to \$685,000 or from \$129.28 to \$158.75 per square foot of living area, including land. The subject's assessment reflects a market value of \$723,686 or \$161.07 per square foot of living area, including land, which is above the range established by these four comparable sales. Based on this record the Board finds a reduction in the subject's assessment is justified.

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: August 20, 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

State of Illinois  
Property Tax Appeal Board  
William G. Stratton Building, Room 402  
401 South Spring Street  
Springfield, IL 62706-4001

APPELLANT

Joseph Goldschmidt, by attorney:  
Jessica Hill-Magiera  
Attorney at Law  
790 Harvest Drive  
Lake Zurich, IL 60047

COUNTY

Will County Board of Review  
Will County Office Building  
302 N. Chicago Street  
Joliet, IL 60432