



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

APPELLANT: Lawrence & Diane Watters
DOCKET NO.: 16-01165.001-R-1
PARCEL NO.: 12-02-06-408-012-0000

The parties of record before the Property Tax Appeal Board are Lawrence & Diane Watters, the appellants, 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 **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: \$62,100
IMPR.: \$229,600
TOTAL: \$291,700

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 part two-story and part one-story dwelling with a brick veneer exterior containing 4,700 square feet of living area. The dwelling was constructed in 1996. Features of the home include a full basement with 3,402 square feet, central air conditioning, three fireplaces and an attached garage with 1,064 square feet of building area. The property has a 23,729 square foot site and is located in Naperville, DuPage Township, Will County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on four comparable sales improved with two-story dwellings that range in size from 4,386 to 4,738 square feet of living area. The dwellings were built from 1995 to 1999. Each comparable is described as having a basement, one fireplace, central air conditioning and a three-car attached garage ranging in size from 799 to 937 square feet of building area. The sales occurred from January 2015 to June 2016 for prices ranging from

\$737,000 to \$810,000 or from \$166.74 to \$177.13 per square foot of living area, including land. Based on these sales the appellants requested the subject's assessment be reduced to \$268,389 to reflect a market value of \$805,248.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$291,700. The subject's assessment reflects a market value of \$877,029 or \$186.60 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 improved with one two-story dwelling and three part two-story and part one-story dwellings with brick veneer; brick veneer and vinyl; or brick veneer, stone and wood exteriors that range in size from 4,096 to 4,976 square feet of living area. The dwellings were built from 1989 to 2002. Each comparable has a basement ranging in size from 2,048 to 2,417 square feet with three having finished area, central air conditioning, one to four fireplaces and attached garages ranging in size from 718 to 1,068 square feet of building area. The board of review also noted the subject property and comparable #4 have cedarshake roofs while the remaining comparables have shingles. The comparables have sites ranging in size from 13,024 to 26,446 square feet of land area. The board of review reported the sales occurred from August 2014 to October 2016 for prices ranging from \$816,000 to \$994,000 or from \$199.22 to \$205.88 per square foot of living area, including land. However, a copy of the PTAX-203 Illinois Real Estate Transfer Declaration associated with board of review comparable #3 disclosed the property sold in April 2014 and not May 2016 as listed on the grid analysis.

In rebuttal the board of review pointed out that the appellants' spreadsheet has the incorrect number of fireplaces for the subject property, which has three, and for comparables #1, #2 and #3 which have two fireplaces. The board of review also asserted there was no mention of the ground square footage or basement size associated with the subject property or the comparables. Additionally, the board of review provided evidence that appellants' comparable #3 resold in April 2017 for a price of \$865,000, which was greater than the January 2015 price of \$790,000 reported by the appellant, and argued the subsequent sale shows the market is going up.

Based on this evidence the board of review requested the subject's assessment be sustained.

In rebuttal the appellants' counsel contends board of review sale #1 sold in 2014, too remote in time to establish market value as of the assessment date. The appellants asserted board of review sale #2 differed from the subject in style. Additionally, the appellant provided evidence disclosing that board of review sale #3 sold in 2014 and not 2016 as reported on the grid analysis. The appellants also argued the second sale of its comparable #3 was dated in 2017 not proximate in time to the assessment.

Conclusion of Law

The appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains eight sales submitted by the parties to support their respective positions. Each comparable had varying degrees of similarities to the subject property. Board of review sales #1 and #3 sold in 2014, however, these sales will be given some consideration as the board of review did provide evidence of a subsequent sale of appellants' comparable #3 demonstrating that the market had gone up or appreciated from 2015 to 2017. Additionally, the unit prices for board of review sales #1 and #3 are generally reflective of the prices of the remaining comparables on a square foot basis. Therefore, the Board finds the purchase prices for board of review sales #1 and #3 are reflective of the market as of January 1, 2016. The comparables provided by the parties sold from April 2014 to October 2016 for prices ranging from \$737,000 to \$994,000 or from \$166.74 to \$205.88 per square foot of living area, including land. The subject's assessment reflects a market value of \$877,029 or \$186.60 per square foot of living area, including land, which is within the range established by the comparable sales in this record and well supported considering its size and features. Based on this evidence the Board finds the assessment of the subject property as established by the board of review is correct and a reduction is not 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: August 20, 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

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

APPELLANT

Lawrence & Diane Watters, 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