



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

APPELLANT: Gabriel & Krystal Orenic
DOCKET NO.: 16-01188.001-R-1
PARCEL NO.: 05-06-17-405-024-0000

The parties of record before the Property Tax Appeal Board are Gabriel & Krystal Orenic, the appellants, by attorney William I. Sandrick, of Sandrick Law Firm, LLC in South Holland; 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: \$17,800
IMPR.: \$94,270
TOTAL: \$112,070

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 two-story dwelling of frame and brick exterior construction with 3,151 square feet of living area. The dwelling was constructed in 1998. Features of the home include a full unfinished basement, central air conditioning, a fireplace, 599 square foot three-car attached garage and a 648 square foot inground swimming pool. The property has a 14,907 square foot site and is located in Shorewood, Troy Township, Will County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted a restricted use appraisal report estimating the subject property had a market value of \$254,000 as of January 1, 2015. The appellants' retrospective appraisal was completed using the sales comparison approach in estimating a market value for the subject property. The appellants' appraiser utilized four suggested comparable properties of two-story dwellings that ranged in size from 2,340 to 3,593 square feet of living area. The comparables

were reported to range in age from 12 to 26 years. Each comparable has a basement, with two having finished area. Additional features of each comparable include central air conditioning, a fireplace and a two-car or a three-car garage. The comparables sold from June to November 2014 for prices ranging from \$233,000 to \$256,900 or from \$71.50 to \$102.99 per square foot of living area, including land. Based on this evidence, the appellants request a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$107,351. The subject's assessment reflects a market value of \$322,763 or \$102.43 per square foot of living area including land, 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 response to the appellants' evidence, the board of review submitted a letter from the township assessor critiquing the appellants' appraisal. The assessor noted that appellants' appraisal only used one comparable located within the subject's neighborhood when there were other sales available.

In support of its contention of the correct assessment the board of review submitted information on six comparable sales located within the same neighborhood as the subject property. The comparable properties are described as two-story or part two-story and part one-story dwellings of frame or frame and brick trim exterior construction that ranged in size from 2,149 or 3,176 square feet of living area. The comparables were built from 1992 to 1999. Each comparable has a full or partial unfinished basement, central air conditioning, a fireplace and a garage ranging in size from 616 to 849 square feet of building area. Two comparables each have a 612 or a 648 square foot inground swimming pool. The comparables sold from August 2014 to April 2016 for prices ranging from \$300,000 to \$360,000 or \$97.61 to \$148.44 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 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.

As an initial matter regarding the appellants' appraisal, the Board gave less weight to the value conclusion in the appellants' appraisal dated January 1, 2015 which is 12 months prior to the January 1, 2016 assessment date and less probative of the subject's market value as of the assessment date at issue. Likewise, the Board gave less weight to the sales used in the appraisal as the sales occurred from June 2014 to November 2014 which are dated and less likely to be indicative of market value as of the subject's January 1, 2016 assessment date. In addition, the appraiser utilized three sales located outside the subject neighborhood when recent sales located

within the subject neighborhood were available. These factors undermine the appraiser's value conclusion.

The Board also gave less weight to board of review comparables #1 and #4 as to their sales that occurred in August and September 2014 are dated and less likely to be indicative of market value as of the subject's January 1, 2016 assessment date. The Board also gave less weight to board of review comparable #6 due to its considerably smaller dwelling size when compared to the subject.

The Board finds the best evidence of market value to be board of review comparables #2, #3, and #5. These three comparables are most similar to the subject in location, design, age and most features though all are smaller in dwelling size and lack an inground pool. The comparables sold from June 2015 to March 2016 for prices ranging from \$300,000 to \$360,000 or from \$113.12 to \$134.18 per square foot of living area, including land. The subject's assessment reflects a market value of \$322,763 or \$102.43 per square foot of living area, including land, which is well supported by the best comparables. After considering adjustments to the comparables for differences including dwelling size and features such as an inground swimming pool when compared to the subject, the Board finds a reduction in the subject's assessment is not 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.

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: November 19, 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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