



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

APPELLANT: Rodney J. Bingham
DOCKET NO.: 16-01190.001-R-1
PARCEL NO.: 22-23-18-100-014-0000

The parties of record before the Property Tax Appeal Board are Rodney J. Bingham, the appellant, 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: \$17,614
IMPR.: \$68,642
TOTAL: \$86,256

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 and vinyl siding exterior construction with 2,556 square feet of living area.¹ The dwelling was constructed in 1992. Features of the home include a full basement with finished area, central air conditioning, a 770 square foot garage and a 1,762 square foot pole barn. The property has a site containing 5.00 acres of land area and is located in Beecher, Washington Township, Will County.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal of

¹ The parties differ as to the lot size and dwelling size of the subject property. The Property Tax Appeal Board finds the best evidence of size was presented by the board of review located in the property record card which contained a schematic diagram and the calculations of the subject's size. The appellant's appraisal did not include a schematic diagram depicting the size of the subject and the related calculations.

the subject property with an estimated market value of \$210,000 as of January 1, 2014. The appraisal was prepared by Eric Sladcik, a certified residential real estate appraiser. The property rights appraised were fee simple and the appraisal was performed to estimate market value for tax assessment purposes.

In estimating the market value of the subject property, the appraiser developed the cost approach to value and the sales comparison approach to value. Using the cost approach, the appraiser estimated the subject property had a site value of \$35,000. The appraiser estimated the building improvements had a replacement cost new of \$336,400. The appraiser calculated physical depreciation to be \$164,836. Adding the land value, \$20,000 site improvements value and the depreciated improvement value, the appraiser arrived at an estimated value under the cost approach of \$226,600.

Under the sales comparison approach to value, the appellant's appraiser selected three properties that were located between 3 to 4 miles from the subject property. The appraiser reported the comparables consist of one-story or two-story dwellings of frame or brick and frame construction ranging in size from 1,896 to 2,500 square feet of living area. The homes were either 9 or 20 years old. Each comparable has a basement with one having finished area. The comparables feature central air conditioning, two comparables have one fireplace and two comparables have a two-car garage. In addition, one comparable has a pole barn. The properties have sites ranging in size from .22 of an acre to 9.86 acres of land area. The comparables sold from April 2013 to May 2014 for prices ranging from \$203,000 to \$210,000 or from \$83.60 to \$110.76 per square foot of living area, including land. The appraiser adjusted the comparables for differences from the subject to arrive at adjusted prices ranging from \$203,910 to \$217,100. The appraiser arrived at an estimated value under the sales comparison approach of \$210,000.

In reconciling the two approaches to value the appraiser gave most weight to the sales comparison approach and arrived at a conclusion of \$210,000. Based on this evidence, the appellant requested 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 \$86,256. The subject's assessment reflects a market value of \$259,339 or \$101.46 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 the subject's assessment, the board of review submitted information on four comparable sales, three of which were utilized by the appraiser. The board of review provided copies of the property record cards associated with its sales. The board of review reported the comparables consist of one-story or two-story dwellings of frame or brick and frame construction ranging in size from 1,795 to 2,544 square feet of living area. The dwellings were built from 1994 to 2004. Each comparable has an unfinished basement and central air conditioning. In addition, two comparables have one fireplace, three comparables have a garage ranging in size from 478 to 576 square feet of building area and one comparable has a 1,680 square foot pole barn. The comparables have sites ranging in size from .23 of an acre to 10 acres of land area. The comparables sold from May 2013 to July 2014 for prices ranging from

\$203,000 to \$235,000 or from \$82.22 to \$116.99 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 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 failed to meet this burden of proof and no reduction in the subject's assessment is warranted.

The appellant submitted an appraisal estimating the subject property had a market value of \$210,000 as of January 1, 2014. The Board gave less weight to the appraisal report. The effective date of the appraisal was two years prior to the lien date at issue. Moreover, one of the comparable sales contained within the appraisal occurred in 2013, which is dated and less indicative of market value as of the subject's January 1, 2016 assessment date. Comparable sale #2 selected by the appellant's appraiser was a dissimilar one-story design and smaller in size when compared to the subject's two-story design. These factors undermine the credibility of the appraisal's final value conclusion. However, the Board will analyze the remaining sale used in the appraisal, as well as the board of review's evidence.

The Board gave less weight to board of review comparables #2 and #4, which were also utilized by the appraiser. Comparable #2 is a dissimilar one-story style and smaller dwelling size. Comparable #4 sold in 2013, which is dated and less likely to be indicative of market value as of the lien date at issue. The board finds the parties' remaining common comparable and board of review comparable #1, although they have smaller land areas and lack a barn unlike the subject, are more similar when compared to the subject in design and dwelling size. They sold in April and May of 2014 for prices of \$209,000 and \$235,000 or \$82.22 and \$92.37 per square foot of living area including land, respectively. The subject's assessment reflects an estimated market value of \$259,339 or \$101.46 per square foot of living area including land, which is greater than the most similar comparable sales contained in the record. However, after considering adjustments to the comparable sales for differences such as land area and a barn feature when compared to the subject, the Board finds the subject's estimated market value as reflected by the assessment is supported. Based on this evidence the Board finds no 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.

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: October 15, 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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