



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

APPELLANT: Sivasankar Moopnar
DOCKET NO.: 16-01201.001-R-1
PARCEL NO.: 07-01-12-210-014-0000

The parties of record before the Property Tax Appeal Board are Sivasankar Moopnar, the appellant, by attorney William I. Sandrick of the 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: \$44,980
IMPR.: \$186,806
TOTAL: \$231,786

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 single-family dwelling of frame and brick construction with 3,768 square feet of living area.¹ The dwelling was constructed in 2012 and is approximately three years old. Features of the home include an unfinished basement, central air conditioning, one fireplace and a three-car attached garage with 811 square feet of building area. The property has an 11,407 square foot site and is located in Naperville, Wheatland Township, Will County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$540,000 as of January 1, 2015. The appraisal was prepared by Rene D. Fiore, a certified residential real

¹ The Board finds the best evidence of subject's dwelling size to be contained in the appellant's appraisal, which included a schematic diagram with corresponding calculations of size.

estate appraiser. In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value using three comparable sales improved with two-story dwellings that range in size from 3,485 to 4,080 square feet of living area. The dwellings range in age from 12 to 23 years old and are located from .37 to .70 miles from the subject property. Each comparable has a full finished basement, central air conditioning and a three-car garage. The sales occurred in March 2014 and June 2014 for prices ranging from \$509,000 to \$565,000 or from \$138.48 to \$157.82 per square foot of living area. The appraiser adjusted the comparables for differences from the subject property to arrive at adjusted prices ranging from \$523,500 to \$542,400. Based on this evidence the appellant requested the subject's assessment be reduced to \$179,882.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject property of \$231,786. The subject's assessment reflects a market value of \$696,891 or \$184.95 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.

The board of review submitted a statement from the Wheatland Township Assessor's Office asserting that all the comparables in the appellant's appraisal were from a different neighborhood. The assessor's office stated there were 16 sales that occurred from 2013-2015 located in the subject's subdivision that were within 250 square feet of the subject dwelling in size that the appellant's appraiser ignored. The assessor's office provided the list of the sales that occurred from April 2013 to December 2015 for prices ranging from \$600,000 to \$840,000.

In further support of its contention of the correct assessment the board of review submitted a grid analysis of six comparable sales that occurred in 2014 that were identified by the township assessor. The assessor indicated these sales could have been used by the appellant's appraiser in estimating the market value of the subject property as of January 1, 2015. The comparable sales are improved with two-story dwellings of frame or frame and brick construction that range in size from 3,651 to 4,084 square feet of living area. The dwellings were constructed from 2006 to 2014. Each property is located in the subject's subdivision. Each comparable has a basement with three being partially finished, central air conditioning, one fireplace and a garage ranging in size from 650 to 809 square feet of building area. The sales occurred from March 2014 to December 2014 for prices ranging from \$653,800 to \$830,000 or from \$172.32 to \$221.00 per square foot of living area, including land.

Additionally, the board of review submitted a grid analysis of five comparable sales that occurred in 2015 and 2016 identified as comparables #7 through #11 that were selected by the township assessor. The comparable sales are improved with two-story dwellings of frame or brick and frame construction that range in size from 3,671 to 3,929 square feet of living area. The dwellings were constructed from 2004 to 2006. Each property is in the subject's subdivision. Each comparable has a basement with two having finished area, central air conditioning, one fireplace and a garage ranging in size from 628 to 929 square feet of building area. The sales occurred from June 2015 to November 2016 for prices ranging from \$700,000 to \$840,000 or from \$187.97 to \$225.26 per square foot of living area, including land.

The board of review requested that no change be made to 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the best evidence of market value to be comparable sales #7 through #11 submitted by the board of review. These comparables were similar to the subject property in location, age, size, style and features. The sales occurred from June 2015 to November 2016 for prices ranging from \$700,000 to \$840,000 or from \$187.97 to \$225.26 per square foot of living area, including land. The subject's assessment reflects a market value of \$696,891 or \$184.95 per square foot of living area, including land, which is below the range established by the best comparable sales in the record establishing the subject property is not overvalued. Less weight was given board of review sales #1 through #6 as these properties sold in 2014, not as proximate in time to the assessment date as the best sales submitted by the board of review. Additionally, board of review sales #1 and #2 appear to have been new as of their respective sale dates. Less weight was given the appraisal provided by the appellant as the effective date was one year prior to the assessment date at issue, the sales used by the appraiser were older than the subject dwelling, the comparables were not located in the subject's subdivision, and the sales occurred in 2014 which is not as proximate in time to the assessment date at issue as the best sales best sales provided by the board of review. Furthermore, the resulting estimate of market value in the appraisal of \$540,000 or \$143.31 per square foot of living area, including land, is significantly below the prices of similar homes in the subject's neighborhood as identified by the board of review that sold in 2014, 2015 and 2016 further undermining the credibility of the opinion of value in the report. Based on this evidence 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: September 17, 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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