



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

APPELLANT: Richard Myers  
DOCKET NO.: 16-01515.001-R-1  
PARCEL NO.: 06-14-476-001

The parties of record before the Property Tax Appeal Board are Richard Myers, the appellant, by attorney Jerri K. Bush of the Law Office of Jerri K. Bush in Chicago; and the Kane 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 **Kane** County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$12,890  
**IMPR.:** \$62,081  
**TOTAL:** \$74,971

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Kane 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 split-foyer four-unit apartment building of brick exterior construction with 3,468 square feet of building area. The building was constructed in 1959. The property has two, two-bedroom and one-bathroom units and two, one-bedroom and one-bathroom units. The property has an 8,712 square foot site and is located in Elgin, Elgin Township, Kane County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales composed of one, one-story and three, two-story four-unit apartment buildings that range in size from 2,438 to 4,224 square feet of building area. The buildings were constructed from 1964 to 1978. One comparable has a detached garage with 682 square feet of building area. The properties were located from 1.54 to 2.1 miles from the subject property. The sales occurred from July 2013 to April 2016 for prices

ranging from \$155,549 to \$243,500 or from \$38.71 to \$88.19 per square foot of building area or from \$38,887 to \$60,875 per unit, land included. The appellant requested the subject's assessment be reduced to \$62,025.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$74,971. The subject's assessment reflects a market value of \$225,341 or \$64.98 per square foot of building area and \$56,335 per unit, land included, when using the 2016 three-year average median level of assessment for Kane County of 33.27% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on five comparable sales identified by the township assessor improved with multi-story apartment buildings with brick exteriors that range in size from 3,592 to 6,336 square feet of building area and have 4, 5 or 6 units. The buildings were constructed from 1962 to 1969. Three comparables have detached garages ranging in size from 682 to 1,748 square feet of building area. The comparables sold from April 2014 to September 2016 for prices ranging from \$243,500 to \$410,000 or from \$51.61 to \$90.48 per square foot of building area and \$54,500 to \$68,333 per unit, including land. Board of review sale #1 was the same property as appellant's sale #4.

The analysis provided by the board of review indicated the sales had gross rent multipliers of 5 or 6. Estimating the subject had an annual rent of \$37,200 and using a gross rent multiplier of 6 resulted in an estimated market value of \$223,200.

The township assessor also asserted that appellant's sales #1, #3 and #4 were foreclosures. The assessor also noted that sale #2 was a ranch style complex that sold in "as-is" condition.

The board of review requested the assessment be confirmed.

### **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 record contains eight sales submitted by the parties, with one common sale, to support their respective positions. The Board gives less weight to appellant's sale #2 due to differences from the subject building in style and size. The Board gives less weight to appellant's sale #2 and board of review sales #3 and #4 as these properties sold in 2013 and 2014 and are less likely to be reflective of market value as of January 1, 2016, than those sales that occurred in 2015 and 2016. The Board finds the best sales in the record to be appellant's sales #1 and #4 as well as board of review sales #1, #2 and #5. Appellant's comparable #4 and board of review sale #1 are the same property. Furthermore, the Board finds the best unit of comparison in this record is price per apartment. These sales occurred from September 2015 to July 2016 for prices ranging

from \$192,000 to \$410,000 or from \$48,000 to \$68,333 per apartment unit, land included. Three of the sales had a tighter range from \$60,875 to \$68,333 per apartment, land included. The sale common to both parties sold for a price of \$60,875 per apartment. The subject's assessment reflects a market value of \$225,341 or \$56,335 per apartment, land included, which is within the range established by the best comparable sales in this record and below three of the four best sales in the record. 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 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

\_\_\_\_\_  
Member



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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: June 18, 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

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