



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

APPELLANT: AMH 2014-2 Borrower LLC
DOCKET NO.: 16-01574.001-R-1
PARCEL NO.: 15-17-178-030

The parties of record before the Property Tax Appeal Board are AMH 2014-2 Borrower LLC, the appellant, by attorney Michael R. Davies of Ryan Law LLP 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: \$10,123
IMPR.: \$55,344
TOTAL: \$65,467

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 consists of a part two-story and part one-story dwelling of frame construction with 1,708 square feet of living area. The dwelling was constructed in 1995. Features of the home include a full basement, central air conditioning, one fireplace and a two-attached car garage. The property has a 7,940 square foot site and is in Aurora, Aurora Township, Kane County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted a list of ten proposed comparable sales that sold from February 2013 to December 2014 for prices ranging from \$37,000 to \$185,000. The appellant provided minimal descriptive information about the comparables reporting that two comparables had 1,948 and 2,100 square feet of living area, respectively. Additionally, four comparables were constructed in 1989, 1994 or 1995. The appellant requested the subject's assessment be reduced to \$37,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$65,467. The subject's assessment reflects a market value of \$196,775 or \$115.21 per square foot of living area, 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 three comparable sales identified by the township assessor improved with two, two-story dwellings and one, part two-story and part one-story dwelling that ranged in size from 1,822 to 2,074 square feet of living area and were built from 1993 to 1996. Each comparable has a basement, central air conditioning, one fireplace and a two-car garage ranging in size from 336 to 420 square feet of building area. The sales occurred in October 2013 and November 2014 for prices ranging from \$210,000 to \$226,000 or from \$101.30 to \$116.02 per square foot of living area, including land.

The board of review also submitted three equity comparables identified by the township assessor to further support the subject's assessment.

Additionally, the board of review submitted a grid of taxpayer sale comparables; however, the comparables included in the grid were not submitted by the appellant to this Board. Nevertheless, comparables #1 and #2 were similar to the subject in location, style, age, size and features. These two properties sold in April 2016 and March 2016 for prices of \$230,000 and \$228,000 or \$115.46 and \$121.54 per square foot of living area, respectively. Comparable #3 was improved with a dissimilar one-story dwelling that was 30 years older than the subject property.

The board of review requested the subject's 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 Board finds the best evidence of market value to be the comparable sales provided by the board of review as well as sales #1 and #2 identified by the board of review as being purportedly submitted by the taxpayer. These comparables are relatively like the subject in location, age, style, size and features. The comparables sold for prices ranging from \$210,000 to \$230,000 or from \$101.30 to \$121.54 per square foot of living area. The subject's assessment reflects a market value of \$196,775 or \$115.21 per square foot of living area, which is below the overall price range but within the range established by the best comparable sales in this record on a square foot basis. The Board finds the comparable sales provided by the board of review demonstrate the subject property is not overvalued for assessment purposes. Little weight was

given the appellant's evidence as it contained practically no descriptive information about the dwellings, other than the size of two comparables and the date of construction of four comparables, to allow the Property Tax Appeal Board to conduct a meaningful comparative analysis of the comparable sales to the subject property. 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: July 16, 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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