



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

APPELLANT: AMH 2014-2 Borrower LLC
DOCKET NO.: 16-01575.001-R-1
PARCEL NO.: 14-25-132-009

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: \$20,748
IMPR.: \$53,464
TOTAL: \$74,212

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 two-story dwelling of frame construction with 2,207 square feet of living area. The dwelling was constructed in 2003. Features of the home include a full basement, central air conditioning, one fireplace and a two-car integral garage. The property has a 10,018 square foot site and is located in Aurora, Sugar Grove Township, Kane County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted a list of eleven proposed comparable sales that sold from May 2013 to October 2015 for prices ranging from \$11,900 to \$220,000. The appellant provided minimal descriptive information about the comparables reporting that two comparables had 2,000 and 3,100 square feet of living area, respectively. Additionally, three comparables were constructed in 2003 and 2004. The appellant requested the subject's assessment be reduced to \$11,900.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$74,212. The subject's assessment reflects a market value of \$223,060 or \$101.07 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 10 comparable sales set forth on two grids of five each that were identified by the township assessor improved with two-story dwellings that ranged in size from 2,043 to 2,308 square feet of living area and were built from 2001 to 2003. Nine comparables have basements, nine comparables have central air conditioning, three comparables have one fireplace and each comparable has a garage ranging in size from 380 to 651 square feet of building area. The sales occurred in September 2003 to May 2015 for prices ranging from \$178,000 to \$279,259 or from \$80.98 to \$125.85 per square foot of living area, including land.

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 identified as comparables #1 and #5 on the first grid and comparable #3 on the second grid. These comparables are relatively like the subject in location, age, style, size and features. The comparables sold from May 2014 to May 2015 prices ranging from \$190,000 to \$230,000 or from \$85.86 to \$112.58 per square foot of living area. The subject's assessment reflects a market value of \$223,060 or \$101.07 per square foot of living area, which is within the the range established by the best comparable sales in this record. The Board finds these comparable sales provided by the board of review demonstrate the subject property is not overvalued for assessment purposes. The remaining sales provided by the board of review were given less weight due to the sale dates not being proximate in time to the assessment date at issue. 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 three 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

AMH 2014-2 Borrower LLC, by attorney:
Michael R. Davies
Ryan Law LLP
311 South Wacker Drive
Mailbox #29
Chicago, IL 60606

COUNTY

Kane County Board of Review
Kane County Government Center
719 Batavia Ave., Bldg. C, 3rd Fl.
Geneva, IL 60134