



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

APPELLANT: Greenfeather LLC
DOCKET NO.: 16-02615.001-R-1
PARCEL NO.: 08-22-228-017

The parties of record before the Property Tax Appeal Board are Greenfeather LLC, the appellant, by Jessica Hill-Magiera, Attorney at Law in Lake Zurich; and the DeKalb County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the **DeKalb** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$5,409
IMPR.: \$25,324
TOTAL: \$30,733

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the DeKalb 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 exterior construction. The dwelling was built in 1903 and contains 1,844 square feet of living area. Features of the home include an unfinished basement. The dwelling is located in DeKalb Township, DeKalb County.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted information on seven comparable sales located from 0.03 to 0.70 of a mile from the subject. The comparables consist of two-story single-family dwellings built from 1894 to 1910. The dwellings range in size from 1,656 to 2,034 square feet of living area and have full unfinished basements. The comparables sold from April 2015 to August 2016 for prices ranging from \$22,000 to \$82,000 or from \$11.20 to \$46.70 per square foot of living area, including land.

Based on this evidence, the appellant requested an assessment reflecting a market value of approximately \$59,256 or \$32.13 per square foot of living area, land included.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$44,712. The subject's assessment reflects a market value of approximately \$134,432 or \$72.90 per square foot of living area, land included, when using the 2016 three-year average median level of assessment for DeKalb County of 33.26% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales, one of which was also submitted by the appellant. The proximate location of the comparables in relation to the subject was not disclosed. The comparables consist of two-story single-family dwellings of frame or brick and frame exterior construction. The homes were built from 1895 to 1909 and range in size from 1,768 to 1,924 square feet of living area. The comparables have full or partial unfinished basements; one comparable has central air conditioning; and one comparable has a 240-square foot garage. The comparables sold in July or October 2015 for prices ranging from \$73,000 to \$135,000 or from \$41.29 to \$74.01 per square foot of living area, including land. Based on the foregoing evidence, the board of review offered to stipulate to an assessment of \$34,147, which reflects an estimated market value of \$102,453 or \$55.56 per square foot.

In its rebuttal, the appellant rejected the proposed stipulation. The appellant argued that the board of review did not dispute or comment on any of appellant's comparables, which should serve as an admission that the comparables are valid and should be used. Appellant contends that its comparables and board of review comparables #1 and #2 are the best comparables in the record and show that the subject is over-assessed. In support of this contention, appellant submitted two new grid analyses. The first shows all eleven comparables submitted by the parties. The second shows what appellant contends are the nine best comparables in the record.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties presented sales data for ten suggested comparable properties for the Board's consideration, with one comparable being submitted by both parties. The Board gave less weight to appellant's comparable #6 which appears to be an outlier due to its very low sale price in comparison to the other comparables. The Board also gave less weight to board of review comparables #2 and #3 as comparable #2 has central air-conditioning and comparable #3 has a garage, superior to the subject. The Board finds the best evidence of market value to be appellant's six remaining comparables and board of review comparables #1 and #4 as these comparables are most similar to the subject in dwelling size, foundation type, and most features. These comparables sold from July 2015 to August 2016 for prices ranging from \$42,500 to

\$115,000 or from \$25.06 to \$59.77 per square foot of living area, including land. The subject's assessment reflects a market value of approximately \$134,432 or \$72.90 per square foot of living area, including land, which falls above the range established by the most similar comparables in the record. After considering adjustments for differences to the subject, the Board finds that a 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: November 20, 2018



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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APPELLANT

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COUNTY

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