



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

APPELLANT: Badar Trust
DOCKET NO.: 16-07549.001-R-1
PARCEL NO.: 23-15-05-222-044-0000

The parties of record before the Property Tax Appeal Board are Badar Trust, the appellant, by Jessica Hill-Magiera, Attorney at Law in Lake Zurich; 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: \$4,420
IMPR.: \$26,153
TOTAL: \$30,573

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a 2015 Final Administrative decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) 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 1.5-story dwelling of brick and vinyl construction with 1,416 square feet of living area. The dwelling was constructed in 1935. Features of the property include a full unfinished basement, central air conditioning, and a detached garage with 240 square feet of building area. The property has a 5,250-square foot site and is located in Steger, Crete Township, Will County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on January 6, 2014 for a price of \$26,640. The appellant provided a copy of the settlement statement associated with the subject's purchase disclosing the seller was the Federal National Mortgage Association. The appellant further indicated the property was sold through a Realtor and provided a copy of the subject's Multiple Listing Service (MLS) listing sheet as well as a copy of the subject's Listing & Property History Report. The listing report disclosed the subject property was placed on the

market on July 11, 2013 for a price of \$78,400 and had been on the market for 168 days before selling. The listing sheet described the subject property as being "REO/Lender Owned." Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

In further support of the overvaluation claim, the appellant submitted a grid analysis of six comparable sales located within .38 of a mile of the subject property. The comparables consist of 1.5-story dwellings ranging in size from 1,257 to 1,645 square feet of living area that were built from 1909 to 1952. Five comparables feature a full basement, five comparables have central air conditioning and one comparable has a 515 square foot garage. The appellant did not disclose the site sizes of the comparables. The comparables sold from March 2015 to April 2016 for prices ranging from \$13,250 to \$43,725 or from \$9.08 to \$27.33 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$30,573. The subject's assessment reflects a market value of \$91,783 or \$64.82 per square foot of living area, land included, when using the 2016 three-year average median level of assessment for Will County of 33.31% as determined by the Illinois Department of Revenue.

In response to the appeal, the board of review submitted a memorandum from the Crete Township Assessor who argued the subject's assessment is supported when taking into consideration the subject's current condition and the two sales of similar 1.5 story dwellings located in Columbia Heights, the subject neighborhood. The assessor also submitted PTAX-203 Real Estate Transfer Declarations associated with the sales of both comparables disclosing they were advertised for sale.

In support of its contention of the correct assessment, the board of review submitted information on two comparable sales. The comparable sales consist of a 1.5-story dwellings of frame exterior construction containing 1,499 or 1,612 square feet of living area. The dwellings were built in 1894 or 1899. Each comparable has an unfinished basement, central air conditioning and a garage with either 588 or 415 square feet of building area. The comparables have sites each containing 3,125 square feet of land area. Comparables #1 and #2 sold in September 2016 for prices of \$110,000 or \$118,000 or for \$73.38 or \$73.20 per square foot of living area, including land, respectively. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant's counsel argued that pursuant to 35 ILCS 200/10-20, repairs and maintenance shall not increase the value of the property unless square footage is added. The appellant's counsel also noted that the board of review comparables are not comparable as they are older dwellings when compared to the subject.

Conclusion of Law

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation as the basis of the appeal. 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.

As to the recent sale of the subject property, the Board gave little weight due to the January 2014 sale date which is 24 months prior to the subject's January 1, 2016 assessment date and less likely to be reflective of market value as of that date.

The Board finds the parties also submitted eight comparable sales to support their respective positions. The Board gave less weight to the appellant's comparables due to their lack of a basement foundation or lack of a garage feature when compared to the subject.

The Board finds the best evidence of market value to be board of review comparables #1 and #2. Although both comparables are older dwellings, they are similar to the subject in location, design, dwelling size and features. These comparables sold in September 2016 for prices of \$110,000 or \$118,000 or for \$73.38 or \$73.20 per square foot of living area, including land, respectively. The subject's assessment reflects an estimated market value of \$91,783 or \$64.82 per square foot of living area, including land, which falls below the best comparable sales in the record both on overall value and price per square foot. After considering adjustments to the comparables for differences such as age when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is well supported. Therefore, no reduction in the subject's assessment is warranted.

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



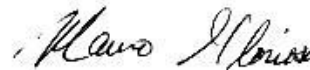
Member

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: May 26, 2020



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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