



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

APPELLANT: Piotr B. Siata
DOCKET NO.: 17-00135.001-R-1
PARCEL NO.: 01-26-152-073

The parties of record before the Property Tax Appeal Board are Piotr B. Siata, the appellant; 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: \$9,109
IMPR.: \$26,339
TOTAL: \$35,448

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 2017 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 two-story townhouse of frame exterior construction with 1,705 square feet of living area. The dwelling was constructed in 2017. Features of the home include a concrete slab foundation, central air conditioning and a two-car garage containing 377 square feet of building area. The property has a 5,040 square foot site and is located in Hampshire, Hampshire Township, Kane County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted a comparable sales grid analysis¹ and an appraisal estimating the subject property had a market value of \$168,000 as of May 04, 2017. The appraisal was prepared by James F. Taylor, a State of Illinois certified residential real estate appraiser. The property rights appraised were fee simple and the appraisal was performed to evaluate the market value of the

¹ The grid analysis depicted three comparable sales that were also used by the appraiser to develop the sales comparison approach to value in the appraisal.

subject property for a purchase transaction. In estimating the market value of the subject property, the appraiser developed the sales comparison approach and cost approach to value.

Under the sales comparison approach to value the appraiser analyzed three comparable sales and two active listings located between .05 of a mile and 2.87 miles from the subject property. The comparables are described as two-story townhouses ranging in size from 1,400 to 1,705 square feet of living area that were 0 to 4 years old. The appraiser reported none of the comparables have a basement. In addition, each comparable has central air conditioning and a two-car garage. The comparables have sites ranging in size from 5,000 to 5,227 square feet of land area. The appraiser utilized five comparable properties, three of which sold in November 2016 or April 2017 for prices ranging from \$156,900 to \$172,035 or from \$99.12 to \$122.88 per square foot of living area, including land and two of which were listed in March and April 2017 for prices of \$172,240 and \$176,740 or \$123.03 and \$103.66 per square foot of living area, including land, respectively. After making adjustments to the comparables for differences from the subject, the appraiser estimated the comparables had adjusted sale or listing prices ranging from \$164,900 to \$176,240. Based on these sales comparables, the appraiser concluded the subject had a market value of \$168,000.

Using the cost approach, the appraiser estimated the subject property had a site value of \$25,000. The appraiser estimated the building improvements had a replacement cost new of \$143,940. The appraiser did not calculate any physical depreciation as the subject property is new construction. Adding the land value, the appraiser arrived at an estimated value under the cost approach of \$173,900. In reconciliation of the two approaches to value, the appraiser estimated the subject had an estimated market value of \$168,000 as of May 4, 2017. Based on this evidence, the appellant requested a reduction in the subject's assessment to \$17,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$35,488. In support of its contention of the correct assessment, the board of review submitted a copy of a request for an assessment correction for the subject property reflecting a division and a pro-rated dwelling assessment as of June 2, 2017. The board of review submitted a copy of the subject's property record card disclosing the subject's improvement assessment was pro-rated for 213 days at \$123.66 per day² ($\$26,339 \div 213 = \123.66). The improvement assessment for the full year equals \$45,136 ($\$123.66 \times 365 \text{ days} = \$45,136$). The subject's land assessment is \$9,109. Adding the full year improvement assessment to the land assessment results in a total assessment of \$54,245 or an estimated market value of \$162,800 or \$95.48 per square foot of building area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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

² Section 9-180 of the Property Tax Code (35 ILCS 200/9-180) provided for the pro-rata valuation of new improvements to December 31 and computations are on the basis of 365 days. The subject's improvement assessment was prorated from June 2 to the end of the year.

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 no reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value in the record to be the appraisal submitted by the appellant of \$168,000. The subject's pro-rated assessment reflects an estimated market value of \$162,800 or \$95.48 per square foot of building area including land which is less than the appraisal value. Therefore, the Board finds the subject's assessment is supported. 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: December 23, 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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COUNTY

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