



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

APPELLANT: Syeda K. Ali
DOCKET NO.: 17-00156.001-R-1
PARCEL NO.: 12-04-102-070

The parties of record before the Property Tax Appeal Board are Syeda K. Ali, the appellant, by Jerri K. Bush, Attorney at Law 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: \$6,790
IMPR.: \$47,260
TOTAL: \$54,050

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 one-story condominium of brick and frame exterior construction with 1,466 square feet of living area. The dwelling was constructed in 2000. Features of the condominium include central air conditioning, a fireplace and a 389 square foot garage. The property is located in Geneva, Geneva Township, Kane County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on three comparable sales located in the same subdivision as the subject property. The comparables consist of one-story condominiums of frame and brick exterior construction containing 1,466 square feet of living area. The condominiums feature central air conditioning, fireplaces and 398 square foot garages. The dwellings were constructed in either 2001 or 2002. The comparables sold from February 2016 to November 2016 for prices ranging from \$150,000 to \$166,000 or from \$102.32 to \$113.23 per square foot of living area, including land.

In further support of the overvaluation claim, the appellant also completed Section IV of the residential appeal petition disclosing the subject property was purchased in October 2015 for a price of \$143,000. The appellant's counsel reported that the subject property was purchased from Fannie Mae. Also, the parties to the transaction were not related and the property was advertised by a realtor through the Multiple Listing Service. The appellant's counsel failed to submit any corroborating evidence of the sale, such as the settlement statement, sales contract or Real Estate Transfer Declaration.

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 \$54,050. The subject's assessment reflects a market value of \$162,215 or \$110.65 per square foot of living area, land included, when using the 2017 three-year average median level of assessment for Kane County of 33.32% as determined by the Illinois Department of Revenue.

In response to the appeal, the board of review submitted a memorandum prepared by the Geneva Township Assessor along with additional data. The township assessor contended that the subject sold in 2014 by Sheriff's Deed to Federal National Mortgage Association. The subject sold again in 2015 as a Bank REO (real estate owned).

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales located in the same subdivision as the subject property. The comparables consist of one-story condominiums of frame and brick exterior construction containing 1,466 square feet of living area. The condominiums feature central air conditioning and 398 square foot garages. In addition, two comparables have fireplaces. The dwellings were constructed in either 2000 or 2002. The comparables sold from March 2014 to March 2017 for prices ranging from \$155,000 to \$184,000 or from \$105.73 to \$125.51 per square foot of living 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 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.

As an initial matter, the Board gave less weight to the subject's reported October 2015 sale price, as it is somewhat dated and less likely to reflect the subject's market value as of the lien date at issue given the more recent available sales in the record. Furthermore, the appellant's counsel failed to submit any corroborating evidence of the sale, such as the settlement statement, sales contract or Real Estate Transfer Declaration.

The parties submitted six comparables sales for the Board's consideration. The Board gave less weight to board of review comparables #1 and #2 as their 2014 sales are dated and less likely to reflect the subject's market value as of the January 1, 2016 assessment date.

The Board finds the best evidence of market value to be the comparable sales submitted by the appellant, along with board of review comparable #3. These four comparables sold more proximate in time to the lien date at issue. The properties are located in the subject's subdivision and the condominiums are identical to the subject in size, design, age and features. These comparables sold from February 2016 to March 2017 for prices ranging from \$150,000 to \$184,000 or from \$102.32 to \$125.51 per square foot of living area, land included. The subject's assessment reflects a market value of \$162,215 or \$110.65 per square foot of living area, land included, which falls within the range of the best comparable sales in this record. The Board finds the subject's estimated market value as reflected by its assessment is supported. Therefore, no change 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

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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