



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

APPELLANT: HB Equities (Steve Harder)
DOCKET NO.: 17-00243.001-R-1
PARCEL NO.: 16-17-06-106-003

The parties of record before the Property Tax Appeal Board are HB Equities (Steve Harder), the appellant, by Jessica Hill-Magiera, Attorney at Law, in Lake Zurich, and the Kankakee 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 **Kankakee** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$3,011
IMPR.: \$7,055
TOTAL: \$10,066

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Kankakee 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 1.5-story single-family dwelling of vinyl-siding exterior and containing approximately 792 square feet of above-grade living area.¹ The dwelling was constructed in 1915. Features of the home include a full unfinished basement and a 420 square foot garage. The property is located in Kankakee, Kankakee Township, Kankakee County.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant disclosed the subject property was purchased in May 2017 for a price of \$30,200. The appellant partially completed Section IV - Recent Sale Data of the appeal disclosing the property was not a transfer between related parties, was sold using a Realtor and had been advertised on the open

¹ Details of the subject property were drawn from both the Multiple Listing Service (MLS) data sheet submitted by the appellant, who failed to complete Section III of the Residential Appeal petition, and the property record card submitted by the board of review.

market with the Multiple Listing Service (MLS). In further support of the transaction, the appellant submitted a copy of the Settlement Statement reiterating the purchase price and date which also depicted the distribution of brokers' fees to two entities; along with a copy of the MLS listing sheet which indicated the property was available for cash financing, was sold as-is, "needs TLC, updating" and was on the market for 213 days. The data sheet further depicts an original asking price of \$54,900.

Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$19,430. The subject's assessment reflects a market value of \$58,296 or \$73.61 per square foot of living area, land included, when using the 2017 three year average median level of assessment for Kankakee County of 33.33% as determined by the Illinois Department of Revenue.

In response to the appeal, the board of review submitted a Parcel Information Report and a copy of the subject's handwritten property record card. The report depicts the last sale of the subject property in May 2017 for \$30,200 was a "valid sale."

Although additional time was granted in accordance with an extension request to file additional evidence, the board of review submitted no other evidence in support of its contention of the correct assessment of the subject property.

In written rebuttal, counsel for the appellant noted there was no dispute presented concerning the recent sale of the subject property nor was any evidence submitted contending that the sale was not valid.

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 appellant submitted data concerning the May 2017 purchase price of the subject property and the board of review submitted a Parcel Information Report concerning the subject property depicting that the May 2017 purchase price of \$30,200 was a "valid sale."

On this record, the Property Tax Appeal Board finds the best and only evidence of market value to be the purchase of the subject property in May 2017 for \$30,200. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant partially completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, the property was sold using a Realtor, the property had been advertised on the open market with the MLS and had been on the market for 213 days. In further

support of the transaction the appellant submitted a copy of the Settlement Statement and the MLS data sheet concerning the listing and sale.

The Property Tax Appeal Board finds the purchase price of \$30,200 is below the market value reflected by the assessment of \$58,296. Furthermore, the Board finds the board of review did not present any evidence to challenge the arm's length nature of the transaction or to refute the contention that the purchase price was reflective of market value. The only substantive evidence presented by the board of review indicated that the appellant's purchase of the subject property in May 2017 was a "valid sale."

Therefore, based on this record, the Property Tax Appeal Board finds the subject property had a market value of \$30,200 as of January 1, 2017. Since market value has been determined the 2017 three year average median level of assessment for Kankakee County of 33.33% shall apply. 86 Ill.Admin.Code §1910.50(c)(1).

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



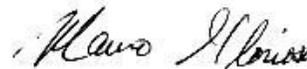
Member

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: 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

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

APPELLANT

HB Equities (Steve Harder), by attorney:
Jessica Hill-Magiera
Attorney at Law
790 Harvest Drive
Lake Zurich, IL 60047

COUNTY

Kankakee County Board of Review
County Administration Building
189 East Court Street 1st Floor
Kankakee, IL 60901