



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

APPELLANT: Woodward & Barbara Ann, LLC  
DOCKET NO.: 17-00362.001-C-2 through 17-00362.003-C-2  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Woodward & Barbara Ann, LLC, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld and Associates, LLC 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 **a reduction** 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:

<b>DOCKET NO</b>	<b>PARCEL NUMBER</b>	<b>LAND</b>	<b>IMPRVMT</b>	<b>TOTAL</b>
17-00362.001-C-2	09-29-479-005	58,905	0	\$58,905
17-00362.002-C-2	09-29-479-006	102,718	0	\$102,718
17-00362.003-C-2	09-29-479-007	121,682	0	\$121,682

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from decisions of the Kane County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessments 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 three vacant parcels of land which total approximately 335,416 square feet or 7.7-acres of land area. The property is located in St. Charles, St. Charles Township, Kane County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant partially completed Section IV - Recent Sale Data of the Commercial Appeal petition and provided information on three comparable sales. As to the purchase of the subject parcels, the appellant reported the property was purchased on July 30, 2015 from the previous owner for \$850,000 or \$2.53 per square foot of land area. The appellant submitted a copy of the Escrow

Trust Disbursement Statement reiterating the sale date and purchase price. The appellant also submitted data on three comparable sales of vacant parcels that range in size from .93 of an acre to 32.7-acres of land area with CoStar printouts for each transaction.<sup>1</sup> The three comparables in the Section V grid analysis sold between October 2015 and March 2017 for prices ranging from \$102,500 to \$3,500,000 or from \$2.46 to \$2.65 per square foot land area.

The appellant also submitted a copies of the decisions of the board of review disclosing the subject parcels had a total assessment of \$468,505 reflecting a market value of \$1,406,077 or \$4.19 per square foot of land area, 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.

The appellant requested the subject's total assessment be reduced to \$283,305 which would reflect the purchase price of \$850,000 for the three parcels at the statutory level of assessment of 33.33%.

The board of review did not submit its "Board of Review Notes on Appeal" or any evidence in support of its assessment of the subject property as required by section 1910.40(a) of the rules of the Property Tax Appeal Board. 86 Ill.Admin.Code §1910.40(a). Therefore, the board of review was found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board. 86 Ill.Admin.Code §1910.69(a) by a letter issued on February 14, 2019.

### **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 Board finds the only evidence of market value to be the recent sale and comparable sales submitted by the appellant. The subject's combined assessment for the three parcels reflects a market value of \$1,406,077 or \$4.19 per square foot of land area, which is above both the combined purchase price for the three parcels of \$850,000 or \$2.53 per square foot of land area and above the comparable sales evidence in the record presented by the appellant which sold from \$2.46 to \$2.65 per square foot land area.

The subject's combined assessment reflects a market value of \$1,406,077 or \$4.19 per square foot of land area, which falls above the subject's July 2015 purchase price and above range established by the only comparable sales in this record. The board of review did not submit any evidence in support of its assessment of the subject property as required by section 1910.40(a) of the rules of the Property Tax Appeal Board and was found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board by a letter issued on February 14, 2019. 86 Ill.Admin.Code §1910.40(a) & §1910.69(a). The Property Tax Appeal Board has

---

<sup>1</sup> A printout for a fourth comparable property was included in the submission. The comparable was a 28.84-acre parcel that sold in October 2015 for \$1,256,270 or \$1.09 per square foot of land area.

examined the evidence submitted by the appellant and finds that a reduction in the assessed valuation of the subject property is warranted commensurate with the appellant's request.

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: September 15, 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

Woodward & Barbara Ann, LLC, by attorney:  
Robert Rosenfeld  
Robert H. Rosenfeld and Associates, LLC  
33 North Dearborn Street  
Suite 1850  
Chicago, IL 60602

COUNTY

Kane County Board of Review  
Kane County Government Center  
719 Batavia Ave., Bldg. C, 3rd Fl.  
Geneva, IL 60134