



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

APPELLANT: HPA Borrower 2016-1 LLC
DOCKET NO.: 17-00393.001-R-1
PARCEL NO.: 07-01-33-426-007-0000

The parties of record before the Property Tax Appeal Board are HPA Borrower 2016-1 LLC, the appellant, by attorney Michael R. Davies, of Ryan Law LLP in Chicago; 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: \$22,470
IMPR.: \$51,468
TOTAL: \$73,938

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Will 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 dwelling of frame exterior construction with 1,740 square feet of living area. The dwelling was constructed in 1994. Features of the home include a 480 square foot unfinished basement, central air conditioning, a fireplace and a 2-car garage.¹ The property is located in Plainfield, Wheatland Township, Will County.

The appellant submitted evidence before the Property Tax Appeal Board claiming assessment inequity as the basis of the appeal. The appeal form was missing information regarding overvaluation due to a copying error, but both parties submitted sales as well as equity information. Therefore, the Board will analyze the appeal for both overvaluation and equity. The

¹ The appellant reported in the grid analysis that the subject featured 480 square feet of finished basement area. The board of review claimed the subject has a 480 square foot unfinished basement and submitted a Property Record Card to support the claim.

appellant submitted a grid analysis of three comparables. The appellant did not disclose in the grid analysis the neighborhood(s) of the comparables or their distances from the subject, but submitted an aerial photograph which listed the comparables as being located within 0.88 of a mile from the subject. The comparables are described as 1.5-story or split-level dwellings built in 1979 or 1987 and ranging in size from 1,720 to 2,062 square feet of living area. Two feature basements and one had no basement information reported. The comparables feature central air conditioning and garages. Two have fireplaces. The comparables have improvement assessments ranging from \$40,971 to \$43,928 or from \$21.30 to \$23.98 per square foot of living area. The comparables sold from May through November 2016 for either \$210,000 or \$250,000 or from \$101.84 to \$137.59 per square foot of living area including land. Based on this evidence, the appellant requested a reduction in the subject's total assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$73,938. The subject's assessment reflects a market value of \$221,903 or \$127.53 per square foot of living area, land included, when using the 2017 three-year average median level of assessment for Will County of 33.32% as determined by the Illinois Department of Revenue. The subject property has an improvement assessment of \$51,468 or \$29.58 per square foot of living area.

With respect to the appellant's evidence, the board of review submitted a letter from the township assessor citing differences between the subject and the appellant's comparables.

In support of its contention of the correct assessment, the board of review submitted a grid analysis of three comparables located within 0.23 of a mile from the subject and having the same neighborhood code as the subject. They are described as two-story dwellings of frame exterior construction. The comparables were built from 1993 to 1995 and range in size from 1,716 to 1,855 square feet of living area. The comparables feature unfinished basements, central air conditioning, one fireplace each and garages. The comparables have improvement assessments ranging from \$51,649 to \$55,957 or from \$30.08 to \$31.90 per square foot of living area. These comparables sold from June 2015 through November 2017 for prices ranging from \$230,000 to \$250,000 or from \$131.70 to \$134.77 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The appellant argued assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant failed to meet this burden of proof.

Both parties submitted six equity comparables for the Board's consideration. The Board gives less weight to the appellant's comparables based on their dissimilar 1.5-story or split-level styles as compared to the subject's two-story design. The Board gives more weight to the board of

review comparables which are similar to the subject in location, style, age, features, dwelling size, and exterior construction. They have improvement assessments ranging from \$51,649 to \$55,957 or from \$30.08 to \$31.90 per square foot of living area. The subject property has an improvement assessment of \$51,468 or \$29.58 per square foot of living area, which is below the range established by the most similar comparables in this record on an overall basis as well as a per square foot basis. After considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's improvement assessment is supported and no reduction in the subject's assessment based on inequity is warranted.

The Board also analyzed the appeal to determine whether or not the market value of the subject property is 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.

The record contains six comparable sales for the Board's consideration. The Board gives less weight to the appellant's comparables and to board of review comparable #3 based on dissimilar styles as compared to the subject and/or sales occurring in 2015 which are less proximate in time to the subject's assessment date and therefore less indicative of market value than other sales in the record. The Board gives more weight to board of review comparables #1 and #2. These comparables are similar to the subject in location, design, exterior construction, age and dwelling size. They sold proximate in time to the assessment date at issue for \$230,000 and \$250,000 or for \$134.03 and \$134.77 per square foot of living area, including land. The subject's assessment reflects an estimated market value of \$221,903 or \$127.53 per square foot of living area including land, which is supported by the best comparable sales in the record on both an overall basis as well as a per square foot basis. After considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported and 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



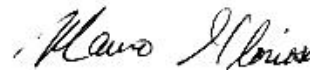
Member

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: April 21, 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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