



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

APPELLANT: Manish & Kiran Patel
DOCKET NO.: 17-01409.001-R-1
PARCEL NO.: 12-02-02-409-017-0000

The parties of record before the Property Tax Appeal Board are Manish & Kiran Patel, the appellants, by attorney Jessica Hill-Magiera in Lake Zurich; 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: \$12,711
IMPR.: \$57,252
TOTAL: \$69,963

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 brick and frame exterior construction with 2,055 square feet of living area. The dwelling was constructed in 1974. Features of the home include a full unfinished basement, central air conditioning and a 462 square foot garage. The property has a 10,764 square foot site and is located in Bolingbrook, DuPage Township, Will County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on four comparable sales located in the same neighborhood as the subject property. The comparables consist of two-story dwellings, each of which contain 2,055 square feet of living area. The appellants did not disclose the exterior construction of the dwellings or the site sizes of the comparables. The dwellings were constructed from 1971 to 1976. The comparables each have a full basement and a 462 square foot garage. The

comparables sold from August 2016 to November 2017 for prices ranging from \$141,500 to \$164,900 or from \$68.86 to \$80.24 per square foot of living area, including land. Based on this evidence, the appellants 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 \$69,963. The subject's assessment reflects a market value of \$209,973 or \$102.18 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.

With respect to the appellants' evidence, the board of review submitted a memorandum critiquing the comparables submitted by the appellants' counsel. The assessor submitted a copy of the PTAX-203 Illinois Real Estate Transfer Declaration associated with each of the appellants' comparables that depicts comparables #1 and #3 as Bank REO (real estate owned) transactions and comparables #2 and #4 as Court Ordered sales transferred by Sheriff's Deed.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales located in the same neighborhood as the subject. The comparables have sites ranging in size from 8,014 to 12,259 square feet of land area. The comparables consist of two-story dwellings of brick and frame exterior construction, each of which contain 2,055 square feet of living area. The dwellings were constructed from 1971 to 1975. Two comparables have full unfinished basements and two comparables have crawl space foundations. The comparables each have central air conditioning and a 462 square foot garage. The comparables sold from April 2015 to March 2017 for prices ranging from \$209,000 to \$252,692 or from \$101.70 to \$122.96 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, counsel for the appellants contended that board of review comparables #1, #2 and #4 are not comparable to the subject as they lack a basement, unlike the subject. Furthermore, board of review comparable #2 sold in 2015 which is too remote in time to establish market value as of January 1, 2017. In a rebuttal grid analysis, counsel reiterated that the appellants four comparables and board of review comparable #3 are the best comparable sales in the record and contended the subject's assessment should be reduced.

Conclusion of Law

The appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted eight suggested comparable sales for the Board's consideration. The Board gave less weight to the appellants' comparable sales #2 and #4 as the PTAX-203 Illinois Real Estate Transfer Declaration associated with these sales disclosed that each of the properties were sold due to a Court Order and transferred by Sheriff's Deed which brings into question the

arms-length nature of the sale transaction. The Board finds board of review comparable #2 sold in 2015 which is dated and less likely to be indicative of the subject's market value as of the January 1, 2017 assessment date.

The Board finds the best evidence of market value to be the appellants' comparable sales #1 and #3, along with comparable sales #1, #3 and #4 submitted by the board of review. These five comparables are identical to the subject in dwelling size and design and are similar to the subject in location and age. These comparables sold from August 2016 to March 2017 for prices ranging from \$141,500 to \$220,000 or from \$68.86 to \$107.06 per square foot of living area, including land. The subject's assessment reflects a market value of \$209,973 or \$102.18 per square foot of living area, including land, which falls within the range established by the best comparable sales in this record. The Board recognizes that board of review comparables #1 and #4 lack a basement, unlike the subject, but their sale prices of \$209,000 and \$220,000 or \$101.70 and \$107.06 per square foot of living area, land included, further support the subject's assessment. 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. Therefore, 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



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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