



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

APPELLANT: Jon Erickson, JXE Investments LLC
DOCKET NO.: 17-01471.001-R-1
PARCEL NO.: 21-14-02-219-024-0000

The parties of record before the Property Tax Appeal Board are Jon Erickson, JXE Investments LLC, the appellant, by Jessica Hill-Magiera, Attorney at Law 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: \$5,865
IMPR.: \$26,729
TOTAL: \$32,594

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 one-story dwelling of frame exterior construction with 1,768 square feet of living area. The dwelling was constructed in 1954. Features of the home include a concrete slab foundation and a 480 square foot garage. The property has a 10,018 square foot site and is located in Park Forest, Monee Township, Will County.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of the overvaluation claim, the appellant submitted a grid analysis of seven comparable sales located within .71 of a mile from the subject property. The comparables consist of one-story dwellings ranging in size from 1,416 to 1,812 square feet of living area that were built in 1954 and 1957. All of the comparables feature a concrete slab foundation, two comparables each have a fireplace, three comparables have central air conditioning and five comparables each have a garage ranging in size from 280 to 600 square

feet of building area. The appellant did not disclose the site sizes of the comparables. The comparables sold from January 2016 to June 2017 for prices ranging from \$17,500 to \$85,000 or from \$11.65 to \$51.65 per square foot of living area, including land. 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 \$32,594. The subject's assessment reflects a market value of \$97,821 or \$55.33 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.

In response to the appeal, the board of review submitted a memorandum from the Monee Township Assessor along with additional data. The assessor contends the appellant's comparable sales #1, #4 and #5 were special warranty deed, Bank REO and/or buyer/seller was a financial institution or government agency. The board of review submitted a copy of the PTAX-203 Illinois Real Estate Transfer Declaration associated with each sale that disclosed each comparable was advertised for sale.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales provided by the assessor, three of which are located within the same neighborhood as the subject. Board of review comparable #2 and appellant's comparable #6 are the same property. The comparable sales consist of one-story dwellings of frame exterior construction ranging in size from 1,532 to 1,812 square feet of living area. The dwellings were built from 1954 to 2001. Three comparables have concrete slab foundations, one comparable has an unfinished basement, three comparables have central air conditioning, two comparables each have a fireplace and each comparable has a garage ranging in size from 384 to 520 square feet of building area. The comparables have sites ranging in size from 7,195 to 9,501 square feet of land area. The comparables sold from February 2015 to July 2017 for prices ranging from \$85,000 to \$135,000 or from \$51.45 to \$75.72 per square foot of living area, including land.

In rebuttal the appellant's counsel noted that the Property Tax Appeal Board shall consider compulsory sales as valid comparable sales pursuant to section 16-183 of the Property Tax Code (35 ILCS 200/16-183). The appellant's counsel noted that the board of review comparable #3 is not comparable due to its sale date in 2015 which is remote in time to establish market value as of January 1, 2017 and board of review comparables #1 and #4 are acceptable sales. In a rebuttal grid analysis, counsel reiterated the seven best comparable sales in the record and contended the subject's assessment should be reduced.

Conclusion of Law

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation as the basis of the appeal. 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 ten comparable sales for the Board's consideration, which includes the parties' common comparable. The Board gave less weight to the appellant's comparables #4 and #5 as both lack garages unlike the subject. The Board gave less weight to board of review comparable sale #3 as it sold in 2015 which is dated and less likely to be reflective of market value as of the January 1, 2017 assessment date. In addition, it is a considerably newer dwelling with a full basement foundation unlike the older dwelling of the subject that has a concrete slab foundation.

The Board gave most weight to the remaining comparables in the record, which includes the parties' common comparable. These comparables have varying degrees of similarity to the subject in location, dwelling size, design, age and features. These comparables sold from February 2016 to July 2017 for prices ranging from \$17,500 to \$116,000 or from \$11.65 to \$75.72 per square foot of living area, including land. The subject's assessment reflects an estimated market value of \$97,821 or \$55.33 per square foot of living area, including land, which falls within the range established by the best comparable sales in the record. 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: 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

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