



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

APPELLANT: Wei Wang  
DOCKET NO.: 17-01639.001-R-1  
PARCEL NO.: 07-01-12-101-001-0000

The parties of record before the Property Tax Appeal Board are Wei Wang, the appellant, by attorney George N. Reveliotis, of Reveliotis Law, P.C. in Park Ridge; and the Will 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 Will County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$43,960  
**IMPR.:** \$146,040  
**TOTAL:** \$190,000

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 single-family dwelling of brick and vinyl-siding exterior with 4,542 square feet of living area. The dwelling is approximately 6-10 years old.<sup>1</sup> Features of the home include a full finished basement, central air conditioning, a fireplace and a 3-car garage. The property is located in Naperville, Wheatland Township, Will County.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant disclosed in Section IV – Recent Sale Data of the appeal petition that the property was purchased from Benjamin and Kimberly White in July 2014 for a price of \$570,000. The appeal petition depicts the sale did not involve family or related parties, the property was sold by a realtor and it was advertised through the Multiple Listing Service (MLS) for 12 days. The appellant's

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<sup>1</sup> The descriptive information was gleaned from the Multiple Listing Service (MLS) sheet provided as part of appellant's evidence submission.

evidence also included a copy of the MLS sheet for the subject property, a copy of the settlement statement associated with the sale of the subject, a copy of the warranty deed and a narrative brief prepared by the appellant's attorney. Based on this evidence, the appellant requested a reduction in the subject's total assessment to \$189,981 which approximately reflects the subject's sale price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$193,890. The subject's assessment reflects a market value of \$581,903 or \$128.12 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 support of its contention of the correct assessment, the board of review submitted a narrative brief contending that the subject sale was too remote in time to be considered a "recent sale". The board of review further argued in its narrative that in 2014, the year of the subject's sale, the subject property was assessed below the purchase price of \$570,000; for every year thereafter, the board of review contended that the subject's assessment was increased only by the application of a multiplier by the board of review or the township assessor. Finally, the board of review argued that even after the application of the multipliers, the subject was assessed below the sale price for three years prior to the 2017 assessment year at issue.

### **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.

With regard to the board of review's contention in support of confirming the subject's assessment, the Property Tax Appeal Board is not to afford *prima facie* correctness to the decision of the board of review. Western Illinois Power Co-op. v. Property Tax Appeal Board, 29 Ill.App.3d 16, 23 (4<sup>th</sup> Dist. 1975). A taxpayer seeking review before the Property Tax Appeal Board from a decision of the board of review does not have the burden of overcoming any presumption that the assessed value was correct. Mead v. Board of Review of McHenry County, 143 Ill.App.3d 1088, 1094 (2<sup>nd</sup> Dist. 1986). When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3<sup>rd</sup> Dist. 2002).

The Board finds that the only evidence of market value is the purchase of the subject property in July, 2014 for a price of \$570,000. The appellant provided evidence demonstrating the sale had all the elements of an arm's length transaction. The appellant 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 through Multiple Listing Service and it had been on the market for 12 days. In further support of the transaction, the appellant submitted a copy of the MLS sheet for the subject property, a copy of the

settlement statement associated with the sale of the subject and a copy of the warranty deed reflecting the sale of the subject property. The Board notes that the sale of the subject in July 2014 did not occur proximate in time to the January 1, 2017 assessment date at issue, however, the board of review did not submit any evidence of comparable sales in the subject's neighborhood in support of the subject's assessment. In addition, 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. Based on this record, the Board finds the subject property had a market value of \$570,000 as of January 1, 2017. Since market value has been determined, the 2017 three-year average median level of assessment for Will County of 33.32% 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.



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Chairman



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Member

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Member



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Member



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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



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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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