



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

APPELLANT: Midwest Capital Investments
DOCKET NO.: 17-01831.001-R-1
PARCEL NO.: 21-14-01-100-014-0000

The parties of record before the Property Tax Appeal Board are Midwest Capital Investments, the appellant, by attorney Timothy A. Clark, of McGrath & Clark in Manhattan; 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: \$5,917
IMPR.: \$19,185
TOTAL: \$25,102

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 construction on a slab foundation with 1,092 square feet of living area. The dwelling was constructed in 1954. Features of the home include a 400 square foot garage. The property has a 7,822 square foot site and is located in Park Forest, Monee Township, Will County.

The appellant, through counsel, appeared before the Property Tax Appeal Board contending overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales. The comparables were located in the same neighborhood as the subject and within 6 blocks of the subject. The comparables were described as one-story ranch dwellings of brick and vinyl, brick and wood or brick and aluminum exterior construction built from 1953 to 1956. The comparables contained either 1,092 or 1,114 square feet of living area situated on sites ranging from .16-acres to .20-acres. One comparable had a 400 square foot

garage and one had a 320 square foot car port. The comparables sold from January 2017 to November 2017 for prices ranging from \$19,000 to \$22,000 or from \$17.06 to \$20.15 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 argued that the appellant's comparable sales were not arm's length transactions. It was argued that comparables #1 and #2 were sold by special warranty deed and comparable #3 was sold from a Trustee Deed to a Custom Home Remodeling and Roofing Company which could indicate it was remodeled as it sold in 2018 for \$85,000. The board of review also argued comparable sale #4 was sold at a tax sale and sold for \$17,000 and not \$20,000 as reported by the appellant.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$25,102. The subject's assessment reflects a market value of \$75,336 or \$68.99 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 information on four comparable sales located in the same neighborhood as the subject. The comparables were situated on sites ranging from 7,011 to 7,441 square feet of land area. Each comparable was a one-story ranch dwelling of frame construction containing 1,092 square feet of living area. Three comparables featured central air conditioning and each had a garage or car port ranging in size from 280 to 352 square feet. The comparables were built from 1954 to 1957 and sold from February 2015 to June 2017 for prices ranging from \$75,000 to \$82,500 or from \$68.68 to \$75.55 per square foot of living area, including land. The board of review pointed out that comparable #1 resold for \$85,500 and comparable #2 resold in 2018 for \$89,900. Based on this evidence, the board of review requested confirmation of the subject's assessment.

The appellant argued the board of review's comparables were remodeled and superior to the subject.

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

The Board finds the best evidence of market value to be board of review comparable sales #1 and #3, which are practically identical to the subject. The remaining comparables were given less weight in the Board's analysis based on their sale not being an arm's-length transaction or the date of sale was too remote from the assessment date in question to determine market value. The appellant did not refute the board of review's arguments in regard to none of the sales presented by the appellant represented an arms-length transaction. The two most similar

comparables sold for prices of \$76,000 and \$75,000, respectively, or for \$69.60 and \$68.68 per square foot of living area, including land. The subject's assessment reflects a market value of \$75,336 or \$68.99 per square foot of living area, which is supported by the best comparable sales in this record. Based on this evidence the Board finds a reduction in the subject's assessment is not justified.

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: December 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

Midwest Capital Investments, by attorney:
Timothy A. Clark
McGrath & Clark
440 South State Street
Manhattan, IL 60442

COUNTY

Will County Board of Review
Will County Office Building
302 N. Chicago Street
Joliet, IL 60432