



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

APPELLANT: Greenfeather LLC
DOCKET NO.: 17-05326.001-R-1
PARCEL NO.: 08-22-228-017

The parties of record before the Property Tax Appeal Board are Greenfeather LLC, the appellant, by Jessica Hill-Magiera, Attorney at Law, in Lake Zurich, and the DeKalb 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 **DeKalb** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$ 5,549
IMPR.: \$22,091
TOTAL: \$27,640

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the DeKalb 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.¹

Findings of Fact

The subject property consists of a part two-story and part one-story single-family dwelling with 1,844 square feet of living area. The dwelling was constructed in 1903. Features of the home include a partial unfinished basement. The property is located in DeKalb, DeKalb Township, DeKalb County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on six comparable sales located from .22 to .98 of a mile from the subject. The comparables consist of two-story dwellings that were built between 1894 and

¹ Although the DeKalb County Board of Review filed a dismissal motion citing failure to abide by the procedural rules of the board of review at its hearing processes, nevertheless the board of review issued a final decision on this property dated March 13, 2018 and the appellant timely filed an appeal from that decision to the PTAB as indicated on that final decision document.

1910 and range in size from 1,696 to 1,836 square feet of living area. Each dwelling has an unfinished basement. The comparables sold from January to November 2016 for prices ranging from \$42,500 to \$82,000 or from \$25.06 to \$46.70 per square foot of living area, including land.

Based on this evidence along with reported "adjustments" to the land, the appellant requested a reduced total assessment of \$16,842 in order to reflect the median per square foot sales price of these comparables.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$45,870. The subject's assessment reflects a market value of \$137,706 or \$74.68 per square foot of living area, land included, when using the 2017 three year average median level of assessment for DeKalb County of 33.31% as determined by the Illinois Department of Revenue.

In response to the appellant's evidence, the board of review contends that the subject property was purchased in August 2014 as part of a multi-property, multi-use purchase of \$1,350,000. In addition, the board of review summarily contends that three of the appellant's comparable sales "were not arms-length transactions" without specifically identifying which comparables.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales along with underlying property record cards. The comparables consist of two-story dwellings that were built between 1898 and 1904. The dwellings range in size from 1,680 to 1,928 square feet of living area and feature basements, one of which has finished area and one comparable has a fireplace. The comparables sold from May 2015 to December 2017 for prices ranging from \$97,750 to \$200,000 or from \$58.18 to \$103.73 per square foot of living area, including land.

Based on this evidence and argument, the board of review requested confirmation of the subject's assessment.

In written rebuttal, the appellant disputed the contention that compulsory sales cannot be considered and also argued that board of review comparables #1 and #2 consist of dated sales, not reflective of the subject's estimated market value as of January 1, 2017 and one of these comparables also is dissimilar with a finished basement. The appellant contends that appellant's comparables #1, #2, #3, #5 and #6 along with board of review comparable #3 are the "best" comparables in the record. In addition, the appellant requests that the Board use "a consistent statistical method or other transparent and uniform means of calculating" fair market value.

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.

Despite the appellant's argument in rebuttal, the Property Tax Appeal Board has given no weight to the argument for application of a consistent statistical method or other transparent and uniform means of calculating the fair market value of the subject property. Contrary to this argument, the Board's decision must be based upon equity and the weight of the evidence, not upon a simplistic statistical formula of using the median sale price per square foot of living area, including land, of those comparables in the record that are found to be most similar to the subject. (35 ILCS 200/16-185; Chrysler Corp. v. Property Tax Appeal Board, 69 Ill.App.3d 207 (2nd Dist. 1979); Mead v. Board of Review, 143 Ill.App.3d 1088 (2nd Dist. 1986); Ellsworth Grain Co. v. Property Tax Appeal Board, 172 Ill.App.3d 552 (4th Dist. 1988); Willow Hill Grain, Inc. v. Property Tax Appeal Board, 187 Ill.App.3d 9 (5th Dist. 1989)). Based upon the foregoing statutory provision and legal principles, there is no indication that there should be "a consistent statistical method or other transparent and uniform means of calculating" market value on an appeal before the Board.

The parties submitted a total of nine comparable properties to support their respective positions before the Property Tax Appeal Board. As suggested in the appellant's rebuttal filing, the Board has given reduced weight to appellant's comparable #4. The Board has also given reduced weight to board of review comparables #1 and #2 which each sold in 2015, dates more remote in time to the valuation date at issue than other sales in this record.

The Board finds the best evidence of market value to be appellant's comparable sales #1, #2, #3, #5 and #6 along with board of review comparable sale #3. These most similar comparables have varying degrees of similarity to the subject and sold from January 2016 to December 2017 for prices ranging from \$42,500 to \$97,750 or from \$25.06 to \$58.18 per square foot of living area, including land. The subject's assessment reflects a market value of \$137,706 or \$74.68 per square foot of living area, including land, which is significantly above the range established by the best comparable sales in this record, both in terms of overall value and on a per-square-foot basis. Based on this evidence and after considering adjustments to the comparables for differences when compared to the subject, the Board finds a reduction in the subject's assessment is 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: June 8, 2021



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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