



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

APPELLANT: Jerry Ramusack
DOCKET NO.: 18-01407.001-R-1
PARCEL NO.: 21-14-01-202-006-1006

The parties of record before the Property Tax Appeal Board are Jerry Ramusack, the appellant, 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: \$1,801
IMPR.: \$5,318
TOTAL: \$7,119

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 2018 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 condominium unit in a three-story condominium building of frame construction that was built in 1972 and has a concrete slab foundation. The condominium unit contains 975 square feet of living area with a wall unit air conditioner. The property is located in Park Forest, Monee Township, Will County.

The appellant's appeal is based on both unequal treatment in the assessment process and overvaluation. As bases of the appeal, the appellant marked Recent Sale, Assessment Equity and Recent Appraisal in Section 2d of the Residential Appeal petition. In support of these claims, the

appellant set forth data on a purported recent purchase of the subject property; an appraisal of the subject parcel; and a brief arguing the impact of the evidence.

In Section IV – Recent Sale Data, the appellant reported that the subject property was purchased in August 2015 for \$11,000 from Cornell Lambert. The parties to the transaction were not related and the property had been advertised via posters, handouts and word of mouth for a period of 12 to 18 months prior the transaction. No supporting documentation was provided to establish that this was a purchase of the parcel on appeal herein. At page 4, the appraisal of the subject property stated there had been no sales/transfer(s) of this property for 36 months prior to the valuation date of January 1, 2018.

The appraisal submitted by the appellant depicts the same parcel identification number that is assigned to the subject property. The appraisal prepared by Charles Graf, a Certified Residential Real Estate Appraiser, opined a market value for the property of \$15,000 as of January 1, 2018.

The appraiser utilized both the income and sales comparison approaches to value in arriving at the opinion in the report. Under the income approach, the appraiser analyzed three rental comparables located within .7 of a mile from the subject and concluded a value of \$15,200. In the sales comparison approach, the appraiser analyzed three sales of comparable condominium units located within .09 of a mile from the subject. The comparables sold from December 2016 to December 2017 for prices ranging from \$15,000 to \$25,000. After making adjustments to comparable #2 for its REO status and to comparable #3 for its condition, Graf set forth adjusted sales prices of \$15,000 and \$18,745. From this data, the appraiser concluded a value for the property identified in the appraisal of \$15,000 under the sales comparison approach.

As part of the appellant's brief, the appellant contended that five sales of units within the Oaks of Forest Hills, consisting of two-bedroom units, sold from July 2015 to December 2017 for prices ranging from \$11,000 to \$25,000. The appellant also contended that two sales in 2018 have occurred for \$13,200 and \$23,000, respectively.

Based on this market value evidence, the appellant requested a total assessment reduction to \$5,040 which would reflect a market value of approximately \$15,120.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$9,454. The subject property has an improvement assessment of \$7,653 or \$7.85 per square foot of living area. The subject's assessment reflects an estimated market value of \$28,382 or \$29.11 per square foot of living area, land included, using the 2018 three-year median level of assessments for Will County of 33.31% as determined by the Illinois Department of Revenue.

In response, the board of review submitted a three-page letter and supporting documentation prepared by the Monee Township Assessor's Office. The assessor wrote that the appellant provided an appraisal dated "*January 1, 2017*" [emphasis added] which is not the appraisal filed by the appellant before the Property Tax Appeal Board in this matter. Furthermore, the assessor contends that "this subject is not a recent sale." The assessor contends that the subject was purchased by the appellant as an investment property and is currently being rented out. As such, the assessor contends "value based on income should be considered."

As to the comparable sales presented by the appellant, the assessor incorrectly contends that nineteen comparables were presented by the appellant. Of the most recent valid appellant comparable sales, the assessor contends that the median sales price of the units is \$21,373. The assessor acknowledged that the subject has an estimated market value based on its assessment of \$28,362.

Next, the assessor set forth Exhibit 2, a document purporting to be an equity grid filed in this matter although there is no equity data from the appellant in this appeal. The assessor contends that these comparables "are only representative of reductions made in a stipulation agreement with another owner for a 2 year compensation."

In support of its contention of the correct assessment, the board of review through the township assessor submitted information on four comparable sales located in the subject's condominium development. The comparables #2, #3 and #4 are the same properties as appellant's comparable sales #4, #2 and #3, respectively, but with a later sale date and price reflected for board of review comparable #3/appellant comparable #2. These comparable units contain either 975 or 989 square feet of living area and are described with three of the comparables having full basements. One comparable has both central air conditioning and a fireplace. The assessor asserted comparable #4/appellant comparable #5 was "non-market." These properties sold from December 2016 to March 2019 for prices ranging from \$21,000 to \$25,000. The assessor wrote that the median was \$24,000 as to comparables #1 and #2 "and is comparable to the subject's indicated value when making adjustments for non market."

In further support of its contention of the correct assessment based upon assessment equity, the assessor set forth a grid analysis of four comparable units that were located in the subject's development. The condominiums contain either 975 or 989 square feet of living area, two of which have full basements and two of which each have central air conditioning and a fireplace. Each comparable has an improvement assessment of \$7,653 or either \$7.74 or \$7.85 per square foot of living area. Based upon this equity data, the assessor contends that the subject has been identically assessed.

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

In written rebuttal, the appellant first disputed the assessor's description of the subject unit contending this is a one-story condominium located within a three-story building that contains twelve units. As a next point, the appellant contends that a "current property appraisal" was provided which indicated a market value of \$15,000 for two-bedroom units in the subject's development. Next, the appellant noted "as requested" he provided rent, expense, vacancy and other similar data presumably for an income approach analysis although the Property Tax Appeal Board does not find such evidence filed in this appeal. Based on purportedly new information concerning another area property owner, in rebuttal the appellant requested a reduction in the subject's assessment to \$4,939. Other disputes with the assessing officials are not relevant to this appeal before the Board and have not been considered as pertinent to rebuttal evidence under the Board's procedural rules (86 Ill.Admin.Code §1910.66). The appellant closed in rebuttal seeking a total assessment reduction for the subject property to \$5,040.

Conclusion of Law

The appellant contends in part that 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.

As an initial matter, the Board has given little consideration to the "recent sale data" set forth in Section IV as the date of sale in August 2015 is more remote in time to the valuation date at issue of January 1, 2018 than other sales contained in the record.

Next, as to the appellant's appraisal report, the Board has given the value conclusion little weight as the appraisal was prepared in August 2018 and failed to utilize sales that occurred more proximate to the valuation date that were available based upon the sales set forth in the appellant's brief. Instead, the Board finds Graf chose to rely upon dated REO sales and made a substantial downward adjustment to sale #3 in order to support what appears to be an excessively low value conclusion for the appraised condominium unit.

The parties submitted a total of six comparable sales to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparable #1 which sold in July 2015 and is considered to be most remote in time to the valuation date at issue of January 1, 2018, particularly when compared to other sales in the record. The Board finds that the remaining five comparables have varying degrees of similarity to the subject condominium unit and reflect a total of six sales of these properties that occurred from December 2016 to March 2019 for prices ranging from \$15,000 to \$25,000. The subject's total assessment reflects a market value of \$28,382 which is greater than the best sales presented by both parties in this record. Based on the foregoing comparable sales evidence, the Board finds that a reduction in the subject's assessment is warranted.

The appellant also asserted unequal treatment in the subject's improvement assessment as a basis of the appeal. Taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). After an analysis of the assessment data, the Board finds after having adjusted the subject's improvement assessment based on its market value, no further reduction based on assessment inequity is warranted on this record.

In conclusion, the Board finds the appellant demonstrated overvaluation by a preponderance of the evidence. Therefore, the Board finds the subject property's assessment as established by the board of review is incorrect and a reduction is warranted on grounds of overvaluation.

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: February 16, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Jerry Ramusack
1939 East 170th Place
South Holland, IL 60473-3704

COUNTY

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