



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

APPELLANT: Jeffrey Spratt
DOCKET NO.: 18-01473.001-R-1
PARCEL NO.: 16-05-02-312-009-0000

The parties of record before the Property Tax Appeal Board are Jeffrey Spratt, the appellant, by attorney Thomas E. Sweeney, of Siegel Jennings Fisk Kart Katz and Regan in Chicago; 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: \$22,593
IMPR.: \$106,721
TOTAL: \$129,314

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 two-story dwelling of brick and frame exterior construction with 3,222 square feet of living area. The dwelling was constructed in 1987. Features of the home include a partial basement with finished area, central air conditioning, a fireplace and a 660 square foot three-car attached garage. The property has a 13,117 square foot site and is located in Homer Glen, Homer Township, Will County.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted a retrospective appraisal report prepared by James Loftus, a State Certified Residential Appraiser and the property rights appraised were fee simple. The intended use of this appraisal was to evaluate the subject property for ad valorem assessment purposes. The appraiser described the subject property as being in overall average condition with no repairs.

In estimating the market value, the appraiser developed the sales comparison approach to value. Under the sales comparison approach to value the appraiser utilized three comparable sales located from .15 to .55 of a mile from the subject property. The comparables are described as two-story dwellings ranging in size from 2,611 to 4,186 square feet of living area with ages ranging from 30 to 32 years old. The comparables have basements, with one having finished area. Each comparable has central air conditioning, one fireplace and a two-car garage. The comparables have sites ranging in size from 12,587 to 22,543 square feet of land area. Comparable #2 has an inground swimming pool. The comparables sold from April 2017 to March 2018 for prices ranging from \$300,000 to \$329,900 or from \$77.64 to \$126.35 per square foot of living area, including land. The appraiser applied adjustments to the comparables for differences when compared to the subject in site size, room count, gross living area and features, resulting in adjusted sale prices ranging from \$290,720 to \$328,620. Based on this analysis, the appraiser arrived at a final opinion of market value of \$310,000 as of January 1, 2018. Based on the 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 \$129,314. The subject's assessment reflects a market value of \$388,214 or \$120.49 per square foot of living area, land included when applying the 2018 three-year average median level of assessment for Will County of 33.31% as determined by the Illinois Department of Revenue.

In response to the appellant's evidence, the board of review submitted a grid analysis of the appellant's appraisal comparables and a memo prepared by the township assessor critiquing the appraisal. The assessor argued the appraiser's comparable #1 is more than 900 square foot larger and comparable #3 is more than 600 square foot smaller than the subject while the assessor comparables are within 400 square feet of the subject. The assessor also provided a map depicting the locations of both parties' comparables in relation to the subject.

In support of its contention of the correct assessment of the subject property the board of review through the township assessor submitted property record cards and a grid analysis on four comparable sales located from .27 to .60 of a mile from the subject. The comparables are described as two-story dwellings of brick or brick and frame exterior construction ranging in size from 2,918 to 3,422 square feet of living area that were constructed from 1989 to 1993. Each comparable has an unfinished basement, central air conditioning, a fireplace and a two-car or a three-car garage ranging in size from 474 to 905 square feet of building area. The comparables have sites ranging in size from 13,618 to 48,972 square feet of land area. The comparables sold from February 2017 to November 2018 for prices ranging from \$355,000 to \$405,000 or from \$115.43 to \$127.91 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 record contains an appraisal submitted by the appellant and four comparable sales provided by the board of review to support their respective positions. The Board gave less weight to the conclusion of value contained in the appellant's appraisal because the appraiser utilized two sales that were significantly dissimilar to the subject in dwelling size and one comparable has an inground swimming pool unlike the subject when recent sales more similar in size and features were available that were provided by the board of review. The Board also gave less weight to the board of review comparables #1 due to its significantly larger lot size when compared to the subject.

The Board finds the best evidence of the subject's market value to be the board of review comparables #2, #3 and #4 which were more similar to the subject in dwelling size, land size, age and most features. The comparables sold from February to November 2017 for prices ranging from \$355,000 to \$395,000 or from \$115.43 to \$127.91 per square foot of living area, including land. The subject's assessment reflects a market value of \$388,214 or \$120.49 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, 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: January 19, 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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