



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

APPELLANT: Tong Hou
DOCKET NO.: 18-02949.001-R-1
PARCEL NO.: 11-04-04-209-008-0000

The parties of record before the Property Tax Appeal Board are Tong Hou, the appellant, by Jessica Hill-Magiera, Attorney at Law in Lake Zurich; 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: \$18,089
IMPR.: \$35,312
TOTAL: \$53,401

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 dwelling of frame exterior construction with 1,429 square feet of living area.¹ The dwelling was constructed in 1971. The home features a concrete slab foundation. The property has a 6,413 square foot site and is located in Romeoville, Lockport Township, Will County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on February 3, 2017 for a

¹ The Multiple Listing Service (MLS) sheet provided by the appellants and the property record card provided by the board of review differ as to the dwelling size and if the subject has a garage. The Board finds the best evidence of the description of the subject was presented by the board of review located in the property record card which contained a schematic diagram and the measurements of the subject's size. The sketch depicts the original subject dwelling with 1,129 square feet of living area plus the attached garage containing 300 square feet of building area converted to living area which equals a total of 1,429 square feet of living area.

price of \$90,169.² The appellant's counsel reported that the subject property was purchased from the owner of record, the parties to the transaction were not related and the property was advertised using a realtor. The appellant submitted a copy of the Multiple Listing Service (MLS) sheet disclosing the property sold at auction after having been advertised for 167 days. A copy of the Settlement Statement reflects the purchase price, date of sale and disclosed the seller was Deutsche Bank National Trust Company and that commissions were paid to two realty agencies.

In further support of the overvaluation claim, the appellant provided a grid analysis of five comparable sales located from .34 to .62 of a mile from the subject property. The comparables are improved with one-story dwellings ranging in size from 1,138 to 1,440 square feet of living area. The dwellings were constructed from 1961 to 1969. Comparable #2 has a basement and four comparables each have a garage ranging in size from 288 to 440 square feet of building area. The comparables sold from June 2017 to June 2018 for prices ranging from \$17,200 to \$118,313 or from \$14.33 to \$87.50 per square foot of living area, including land.

Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$53,401. The subject's assessment reflects a market value of \$160,315 or \$112.19 per square foot of living area, land included, when using 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 appeal, the board of review submitted a copy of the Illinois Real Estate Transfer Declaration associated with the sale of the subject property which disclosed the property was advertised for sale and depicts the reported purchase price, date of sale and that the transaction was a Bank REO (real estate owned) which was transferred by Special Warranty Deed.

As part of its submission, the board of review also provided a grid analysis with additional descriptive information on appellant's comparables #1, #2, #3 and #4, along with property record cards and real estate transfer declarations for three of the comparables. The grid analysis depicts the appellant's comparable #1 sold in March 2018 for a price of \$80,000³ and in June 2018 for a price of \$105,000; the comparables have sites that range in size from 5,561 to 9,823 of land area; three comparables have crawl space or concrete slab foundations and two comparables each have a garage containing 300 or 440 square feet of building area. The board of review asserted that the appellant's comparables #2 and #3 were Special Warranty Bank sales; the appellant's comparable #4 is a home that was torn down and a new home is currently being built; and comparable #5 is located in DuPage Township.

² The settlement statement disclosed the date of sale as February 3, 2017 which differs from the listing sheet which depicts the date of sale as February 6, 2017.

³ The property record card provided by the board of review did not depict the March 2018 sale and the board of review did not provide a copy of the real estate transfer declaration associated with the purported sale.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales located within the subject's subdivision. The comparables have sites that range in size from 6,254 to 11,284 square feet of land area. The comparables are improved with one-story dwellings of frame exterior construction that range in size from 1,200 to 1,424 square feet of living area. The dwellings were constructed in 1967 or 1970. Each comparable features a concrete slab foundation. The properties sold from March to November 2018 for prices ranging from \$158,150 to \$184,000 or from \$112.36 to \$148.39 per square foot of living area, land included. Based on this evidence, the board of review requested no change in the subject's assessment.

In rebuttal, counsel for the appellants asserted that the board of review did not dispute the recent sale of the subject property or sufficiently contest its validity. Counsel also argued that the subject's recent sale price falls within the range of the comparable sales submitted by the appellant, serving as additional evidence that the subject's recent sale price is indeed indicative of market value. Counsel requested a reduction in the subject's assessment to reflect the purchase price.

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

The Board finds the evidence disclosed that the appellant purchased the subject property on February 3, 2017 for a price of \$90,169 from Deutsche Bank National Trust Company. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant partially completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, the property was sold by the owner of record and the property had been advertised on the open market. In further support of the transaction the appellant submitted a copy of the settlement statement and the MLS sheet and the board of review provided the real estate transfer declaration associated with the purchase of the subject property. The Board finds, however, the fact the property was REO (real estate owned) by Deutsche Bank National Trust Company and sold at auction calls into question whether the purchase price is reflective of fair cash value. Thus, the Board has given little weight to the subject's purchase price in determining its correct assessment.

The parties presented nine suggested comparables for the Board's consideration with one property reported to have sold twice. The Board gave less weight to the purported March 2018 sale of appellant's comparable #1 as there was no substantive evidence in the record that the sale occurred. The Board gave less weight to appellant's comparable sale #4 as this appears to be an outlier with a price of \$14.33 per square foot of living area, land included, relative to the sale prices of the remaining comparables. The Board also gave less weight to appellant's comparable #5 due to its location outside of the subject's township.

The Board finds the best evidence of market value in the record to be the June 2018 sale of appellant's comparable #1 and appellant's comparable sales #2 and #3, along with the four comparable sales provided by the board of review. The comparables are relatively similar to the subject in location, dwelling size, design and age. They sold from October 2017 to November 2018 for prices ranging from \$97,650 to \$184,000 or from \$82.16 and \$148.39 per square foot of living area, land included, respectively. The Board finds these sales demonstrate the subject's purchase price of \$90,169 or \$63.10 per square foot of living area, land included, is not representative of fair cash value. The subject's assessment reflects a market value of \$160,315 or \$112.19 per square foot of living area, including land, which is 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 the assessment is supported. Therefore, based on this record, the Board finds no 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: 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

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

APPELLANT

Tong Hou, by attorney:
Jessica Hill-Magiera
Attorney at Law
790 Harvest Drive
Lake Zurich, IL 60047

COUNTY

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