



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

APPELLANT: David Blair, DG Enterprises LLC
DOCKET NO.: 18-03003.001-R-1
PARCEL NO.: 21-14-13-207-007-0000

The parties of record before the Property Tax Appeal Board are David Blair, DG Enterprises LLC, 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: \$5,255
IMPR.: \$22,449
TOTAL: \$27,704

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 masonry exterior construction with 1,227 square feet of living area.¹ The dwelling was constructed in 1975. Features of the home include a full finished basement and central air conditioning. The property has a 7,201 square foot site and is located in University Park, Monee Township, Will County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on five comparable sales located within .37 of a mile from the subject property. The comparables are improved with one-story dwellings containing 1,016 or 1,109 square feet of living area. The dwellings were built in 1974 or 1975. The appellant's grid

¹ Neither party submitted a copy of the subject's property record card. Therefore, the descriptive information for the subject was derived from the board of review's grid analysis that depicts the subject's site size, exterior construction and basement finish, which were features not provided in the appellant's grid analysis.

analysis depicts comparables #1 through #4 with either a partial concrete slab foundation or a partial crawl space foundation and comparable #5 with a concrete slab foundation. Three comparables have central air conditioning. No information was provided on the exterior construction or site sizes of the comparables. The properties sold from June 2017 to March 2018 for prices ranging from \$19,950 to \$52,000 or from \$19.64 to \$46.89 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$8,855 reflecting a market value of approximately \$26,568 or \$21.65 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$27,704. The subject's assessment reflects a market value of \$83,170 or \$67.78 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 memorandum from the Monee Township Assessor along with additional data. The assessor contends the appellant's comparable sales #1, #2, #3 and #4 are special warranty deed, Bank REO (real estate owned) and/or Buyer/Seller is a financial institution or government agency. The assessor provided copies of the PTAX-203 Illinois Real Estate Transfer Declarations associated with each sale that disclosed each comparable was advertised for sale. The assessor also asserted that appellant's comparables #1, #2 and #3 are condo units, unlike the subject which is a single-family dwelling. In support of her claim, the assessor provided property record cards of each of the appellant's comparables. The property record cards also disclosed that none of the appellant's comparables have basements.

In support of its contention of the correct assessment, the board of review submitted property record cards and a grid analysis on four comparable sales identified by the township assessor and are located in University Park. These properties have sites that range in size from 7,000 to 9,859 square feet of land area. The comparables are improved with one-story dwellings of masonry exterior construction ranging in size from 1,109 to 1,252 square feet of living area. The dwellings were built in 1970 or 1975. Two comparables each have a concrete slab foundation and two comparables each have a full unfinished basement. Three comparables have central air conditioning and each comparable has a detached garage ranging in size from 200 to 528 square feet of building area. Comparable #3 also has an attached garage containing 528 square feet of building area. The sales occurred from April 2018 to June 2019 for prices ranging from \$82,500 to \$119,900 or from \$74.39 to \$107.05 per square foot of living area, land included. Based on this evidence, the board of review requested no change to the subject's assessment.

In written rebuttal, counsel for the appellant critiqued the comparables submitted by the board of review. Counsel argued that the board of review comparables each have a garage, unlike the subject. Counsel also argued that board of review comparable sales #2 and #3 occurred in 2019 which is too remote in time to establish market value as of January 1, 2018. In a rebuttal grid analysis, counsel reiterated that the appellant's comparables #1, #2, #3 and #4 are the best comparable sales in the record and contended the subject's assessment should be reduced.

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 nine suggested comparable sales for the Board's consideration. The Board finds that neither party submitted comparables that were particularly similar to the subject due to significant differences in design, foundation type, features and/or sale dates. The Board gave less to appellant's comparable sales #1, #2 and #3 due to their dissimilar designs when compared to the subject. The Board gave less weight to board of review comparables #2 and #3 as their sale dates occurred in 2019 which are less proximate in time to the assessment date at issue, thus less likely to be indicative of the subject's market value as of January 1, 2018.

The Board finds the best evidence of market value to be the appellant's comparables #4 and #5, along with board of review comparables #1 and #4. These comparables are relatively similar to the subject in location, dwelling size, design and age, though each has varying degrees of similarity to the subject in foundation type and features. The properties sold from July 2017 to August 2018 for prices ranging from \$25,000 to \$119,900 or from \$22.54 to \$107.05 per square foot of living area, including land. The subject's assessment reflects a market value of \$83,170 or \$67.78 per square foot of living area, land included, which falls within the range established by the best comparable sales in this record. After considering adjustments to these comparables for differences when compared to the subject, the Board finds no reduction in the subject's estimated market value as reflected by its 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

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