



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

APPELLANT: Kenneth L. Corcoran
DOCKET NO.: 18-03004.001-R-1
PARCEL NO.: 30-07-27-105-004-0000

The parties of record before the Property Tax Appeal Board are Kenneth L. Corcoran, 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 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: \$4,543
IMPR.: \$14,957
TOTAL: \$19,500

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 864 square feet of living area. The dwelling was constructed in 1954. The home features a concrete slab foundation. The property has a 7,405 square foot site and is located in Joliet, Joliet Township, Will County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on four comparable sales located within the same neighborhood as the subject and from .12 to .21 of a mile from the subject property.¹ The comparables have sites ranging in size from 6,969 to 10,018 square feet of land area. The comparables are improved with one-story dwellings of frame exterior construction containing either 816 or 864

¹ The descriptive information for the appellant's comparables was derived from the appellant's and the board of review submissions.

square feet of living area. The dwellings were each built in 1954. Each comparable has a concrete slab foundation. The comparables sold from February 2017 to November 2018 for prices ranging from \$25,000 to \$58,800 or from \$28.94 to \$68.06 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$15,356 reflecting a market value of approximately \$46,073 or \$53.32 per square foot of living area including land, 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 \$21,795. The subject's assessment reflects a market value of \$65,431 or \$75.73 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 letter from the Joliet Township Assessor, along with property record cards and a grid analysis of the appellant's comparables with additional descriptive data. The property record cards describe the appellant's comparable sale #2 as a court ordered sale in lieu of foreclosure by Sheriff's Deed and appellant's comparable #4 was not advertised for sale, which was unrefuted by the appellant.

In support of its contention of the correct assessment, the board of review, through the township assessor, submitted property record cards and a grid analysis of the subject and four comparable sales. The comparables are located within the subject's subdivision and have sites that range in size from 6,098 to 7,405 square feet of land area. The comparables are improved with one-story dwellings of frame exterior construction ranging in size from 816 to 1,080 square feet of living area. The dwellings were each built in 1954. Each comparable has a concrete slab foundation, one comparable has central air conditioning and three comparables each have a garage that ranges in size from 280 to 528 square feet of building area. The comparables sold from May 2016 to August 2018 for prices ranging from \$69,000 to \$105,000 or from \$84.56 to \$113.31 per square foot of living area, land included. The property record card for comparable #1 disclosed the property was not advertised for sale. Based on this evidence, the board of review requested no change in the subject's assessment.

In written rebuttal, counsel for the appellant critiqued the comparables submitted by the board of review. Counsel argued that board of review comparable #1 is not an arm's-length sale as the property record card disclosed it was not advertised for sale and was unrefuted by the board of review. Counsel also contends that board of review comparables #2, #3 and #4 differ from the subject in that comparables #2 and #4 each have a garage, unlike the subject and comparables #3 and #4 are 22% and 25% larger than the subject, respectively. In a rebuttal grid analysis, counsel reiterated that the appellant's comparables #1, #2 and #3 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The record contains eight suggested comparable sales for the Board's consideration. The Board gave less to the appellant's comparables #2 and #4, as the record disclosed comparable #2 was a court-ordered sale following a foreclosure by Sheriff's Deed and comparable #4 was not advertised for sale. Therefore, the Board finds these two sales did not have the elements of an arms-length transaction. The Board gave reduced less weight to the comparables submitted by the board of review which differ from the subject in that they have a garage and/or larger dwelling size. Furthermore, board of review comparable #1 sold in May 2016 which is dated and less likely to be reflective of the subject's market value as of the January 1, 2018 assessment date and failed to meet one of the key fundamental elements of an arms-length transaction as it was not advertised for sale.

The Board finds the best evidence of market value to be the appellant's comparables #1 and #4. The comparables are relatively similar to the subject in location, dwelling size, design, age and features. These properties sold in June 2017 and November 2018 for prices of \$25,000 and \$58,800 or for \$28.94 and \$68.06 per square foot of living area, including land. The subject's assessment reflects a market value of \$65,431 or \$75.73 per square foot of living area, land included, which is greater than the best comparable sales in this record both in terms of overall value and on a square foot basis which does not appear to be justified after considering adjustments to these comparables for differences when compared to the subject. Based on this record, the Board finds a reduction in the subject's assessment is warranted.

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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