



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

APPELLANT: Kenneth L. Corcoran
DOCKET NO.: 18-03005.001-R-1
PARCEL NO.: 30-07-15-216-029-0000

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: \$4,166
IMPR.: \$7,516
TOTAL: \$11,682

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 1,176 square feet of living area and a full unfinished basement.¹ The dwelling was constructed in 1903. The property has a 5,662 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 six comparable sales located within the same neighborhood as the subject and from .09 to .96 of a mile from the subject property.² The comparables have

¹ The parties differ as to whether the subject has a garage. The Board finds the best evidence of the description of the subject property is found in the subject's property record card provided by the board of review.

² The descriptive information for the appellant's comparables was derived from the appellant's and the board of review submissions.

sites ranging in size from 4,791 to 7,840 square feet of land area. The comparables are improved with one-story dwellings of frame or masonry exterior construction ranging in size from 960 to 1,182 square feet of living area. The dwellings were built from 1860 to 1926. Each comparable has a full unfinished basement and a garage that ranges in size from 280 to 800 square feet of building area. The comparables sold from June 2017 to March 2018 for prices ranging from \$25,000 to \$44,000 or from \$24.32 to \$42.15 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$11,682 reflecting a market value of approximately \$35,050 or \$29.80 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 \$21,996. The subject's assessment reflects a market value of \$66,034 or \$56.15 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 assessor argued that the appellant's comparables #1 and #3 were invalid sales and comparable #3 was issued a permit for \$20,000 for remodeling after the sale. The property record cards describe the appellant's comparable sale #1 as a bank REO sale by Special Warranty Deed and appellant's comparable #6 was not advertised for sale, which was unrefuted by the appellant. The assessor provided a copy of the real estate transfer declaration associated with the sale of appellant's comparable #3, along with a copy of the permit application issued on January 2, 2018 by the City of Joliet for remodeling in the amount of \$20,000.

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 5,227 to 33,105 square feet of land area. The comparables are improved with one-story dwellings of frame exterior construction ranging in size from 1,056 to 1,160 square feet of living area. The dwellings were built from 1914 to 1977. Each comparable has a full unfinished basement, three comparables have central air conditioning and three comparables each have a garage that ranges in size from 324 to 672 square feet of building area. The comparables sold from July 2018 to January 2019 for prices ranging from \$112,000 to \$162,000 or from \$96.55 to \$153.41 per square foot of living area, land included. The property record card for comparable #3 disclosed the July 2018 sale included multiple parcels. 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 10% smaller than the subject and appears to be an outlier based on the sale price per square foot; comparable #2 sold in 2019 which is too remote in time to establish market value as of January 1, 2018 and the property is 74 years newer; comparable #3 is 14% smaller than the subject; and comparable #4 lacks a garage. In a rebuttal grid analysis, counsel reiterated that the appellant's comparables #4 and #5 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 ten suggested comparable sales for the Board's consideration. The Board gave less weight to the appellant's comparables #3 and #4 due to their smaller dwelling sizes when compared to the subject. The Board also gave less weight to the appellant's comparable #6 as the record disclosed the sale failed to meet one of the key fundamental elements of an arms-length transaction as it was not advertised for sale. The Board gave reduced weight to the comparables submitted by the board of review which differ from the subject in site size, age and/or have central air conditioning, not a feature of the subject. Furthermore, board of review comparable #2 sold less proximate in time to the January 1, 2018 assessment date relative to the remaining comparables in the record and board of review comparable sale #3 included multiple parcels.

The Board finds the best evidence of market value to be the appellant's comparable sales #1, #2 and #5. These comparables are relatively similar to the subject in location, dwelling size, design and age, though they are superior to the subject in that each has a garage, unlike the subject. These properties sold from July 2017 to March 2018 for prices ranging from \$25,000 to \$44,000 or from \$24.32 to \$42.15 per square foot of living area, including land. The subject's assessment reflects a market value of \$66,034 or \$56.15 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 commensurate with the appellant's request 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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