



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

APPELLANT: Kenneth L. Corcoran
DOCKET NO.: 18-03008.001-R-1
PARCEL NO.: 11-04-33-411-017-0000

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 **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: \$10,036
IMPR.: \$26,634
TOTAL: \$36,670

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 780 square feet of living area. The dwelling was constructed in 1929. Features of the home include a full basement and central air conditioning. The property has a 6,596 square foot site and is located in Crest Hill, Lockport 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 from .07 to .72 of a mile from the subject property, three of which are located within the subject's neighborhood.¹ The comparables have sites ranging in size from 4,221 to 7,421 square feet of land area. Comparable #1 is improved with a one-story frame dwelling containing 884 square feet of living area and a

¹ The Board finds the best descriptive information for each of the appellant's comparables is found in the evidence provided by the board of review and was unrefuted by the appellant.

two-story brick dwelling containing 1,496 square feet of living area, each has a full basement and central air conditioning. These two dwellings were built in 1914 and 1947, respectively. Comparable #3 is improved with one-half of a one-story duplex of brick exterior construction built in 1943 containing 880 square feet of living area with a full basement and central air conditioning. Comparables #2 and #4 are improved with one-story dwellings of frame or brick exterior construction containing 824 and 740 square feet of living area with a full or partial basement and central air conditioning, which were built in 1926 and 1944, respectively. The comparables sold from December 2016 to April 2018 for prices ranging from \$43,000 to \$80,000 or from \$48.86 to \$108.11 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$14,892 reflecting a market value of approximately \$44,680 or \$57.28 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 \$36,670. The subject's assessment reflects a market value of \$110,087 or \$141.14 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 provided a grid analysis of the appellant's comparables with additional descriptive information for each property, along with property record cards and PTAX-203 Illinois Real Estate Transfer Declarations associated with the sale of each comparable. In a memorandum, the board of review argued that the appellant's comparable #2 was a Housing and Urban Development (HUD) sale. The board of review also asserted that appellant's comparable #3 is improved with one-half of a duplex that is located in a different subdivision and the property was not advertised for 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 neighborhood. The comparables have sites ranging in size from 5,760 to 8,379 square feet of land area. The comparables are improved with one-story dwellings of frame exterior construction ranging in size from 616 to 768 square feet of living area. The dwellings were built from 1911 to 1949. Comparable #3 has a concrete slab foundation and the remaining comparables each have a full basement. Each comparable has central air conditioning and a garage that ranges in size from 308 to 440 square feet of building area. The comparables sold from August 2017 to April 2018 for prices ranging from \$102,000 to \$143,500 or from \$150.00 to \$186.85 per square foot of living area, land included. The board of review provided property record cards of the subject and its comparables, along with the transfer declarations associated with each comparable 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 the board of review comparables each have a garage unlike the subject and comparable #3 is also 21% smaller than the subject with no basement. In a rebuttal grid analysis, counsel reiterated that the appellant's comparables #1 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 eight suggested comparable sales for the Board's consideration. The Board finds neither party submitted comparables that were particularly similar to the subject due to significant differences in location, design, age and/or features. Nonetheless, the Board gave less weight to comparables #1, #2 and #3 submitted by the appellant, as comparable #1 is improved with two dwellings unlike the subject that is improved with one dwelling; comparable #2 sold by HUD adding a possible element of duress or compulsion to the sale; and comparable #3 is located outside of the subject's neighborhood with a dissimilar duplex design compared to the subject and the property was not advertised for sale. The Board gave reduced weight to board of review comparable #3 due to its lack of a basement which is a feature of the subject.

The Board finds the best evidence of market value to be the appellant's comparable #4 and board of review comparables #1, #2 and #4. These comparables are similar to the subject in location, dwelling size and design, though three comparables each have a garage suggesting a downward adjustment to make them more equivalent to the subject. The comparables sold from August 2017 to April 2018 for prices ranging from \$80,000 to \$143,500 or from \$108.11 to \$186.85 per square foot of living area, including land. The subject's assessment reflects a market value of \$110,087 or \$141.14 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 the comparable sales 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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