



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

APPELLANT: Ashish & Mira Kachrani
DOCKET NO.: 18-03015.001-R-1
PARCEL NO.: 12-02-10-220-010-0000

The parties of record before the Property Tax Appeal Board are Ashish & Mira Kachrani, the appellants, 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: \$16,951
IMPR.: \$122,974
TOTAL: \$139,925

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 two-story dwelling of brick and stucco exterior construction with 3,450 square feet of living area.¹ The dwelling was constructed in 2005. Features of the home include a full basement, central air conditioning, a fireplace and an attached garage containing 747 square feet of building area. The property has an approximately 13,960 square foot wooded site and is located in Bolingbrook, DuPage Township, Will County.

The appellants contend overvaluation and lack of assessment uniformity as the bases of the appeal concerning the improvement assessment; no dispute was raised concerning the land assessment.

¹ The appellants reported a dwelling size of 2,879 square feet with no supporting documentation. The board of review supplied a copy of the subject's property record card depicting a dwelling size of 3,450 square feet. The Board finds the board of review submitted the best evidence of the subject's dwelling size.

In support of the overvaluation argument, the appellants submitted a grid analysis with information on four comparable sales. The properties are located within .20 of a mile from the subject. No land size information was provided in the appellants' evidence for these sales. The dwellings were described as two-story homes built from 1993 to 2005 and which range in size from 2,631 to 3,311 square feet of living area. Each dwelling has a full basement, one of which is a walkout-style, central air conditioning, a fireplace and a garage ranging in size from 452 to 819 square feet of building area. The comparables sold from August 2016 to January 2018 for prices ranging from \$263,000 to \$410,000 or from \$85.14 to \$123.83 per square foot of living area, including land.

In support of the inequity argument, the appellants submitted two grid analyses with information on sixteen equity comparables. The properties are located within .25 of a mile from the subject. The dwellings were two-story homes built from 1995 to 2005 and which range in size from 2,436 to 3,332 square feet of living area. Each dwelling has a basement ranging in size from 1,218 to 1,666 square feet. The appellants' presentation of evidence failed to identify characteristics such as air conditioning, fireplace and/or garages among other amenities. The comparables present improvement assessments ranging from \$68,015 to \$126,765 or from \$25.36 to \$38.04 per square foot of living area.

Based on this evidence, the appellants requested a total assessment reduction to \$89,965 which would reflect a market value of \$269,922 or \$78.24 per square foot of living area, including land, based upon 3,450 square feet of living area and at the statutory level of assessment of 33.33%. The appellants' appeal also requested a reduced improvement assessment of \$73,014 or \$21.16 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$139,925. The subject's assessment reflects a market value of \$420,069 or \$121.76 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. The subject has an improvement assessment of \$122,974 or \$35.64 per square foot of living area.

In response to the appellants' evidence, the board of review noted that upon examination of the subject property via aerial photograph, a 380 square foot patio has been discovered and should be added to the property's record card. Furthermore, the board of review in a memorandum contended that both the appellants' sales and equity comparable data failed to include additional improvements which features impact a property's assessment/value. As to the appellants' comparable sales data, the board of review contended that sale #1 was dissimilar in dwelling and garage sizes; sale #2 as a 2018 sale "will be used in sales study in 2019"; and sale #4 was an "invalid sale" noting it was a short sale as depicted in the Multiple Listing Service (MLS) data sheet.

In support of its contention of the correct assessment, the board of review submitted a grid analysis depicting information on four comparables with both sales and equity data along with copies of applicable property record cards. Board of review comparable #3 is the same property as appellants' sale #3/equity comparable #12 and board of review comparable #1 is the same

property as appellants' equity comparable #14. The comparables are located within .11 of a mile from the subject. The parcels range in size from approximately 15,205 to 26,618 square feet of land area and have each been improved with a two-story dwelling of stucco or brick and vinyl siding exterior construction. The homes were built from 1997 to 2006 and range in size from 2,744 to 4,012 square feet of living area. Each dwelling has a lookout or walkout basement, one of which has finished area, central air conditioning, a fireplace and a garage ranging in size from 713 to 819 square feet of building area. The comparables sold from May 2015 to July 2017 for prices ranging from \$410,000 to \$467,500 or from \$115.90 to \$170.37 per square foot of living area, including land. The board of review also reported a self-adjusted sale price for comparable #4 based upon subsequent equalization factors of \$127.22 per square foot or \$510,401.

Based on the foregoing evidence and argument, the board of review requested confirmation of the subject's assessment.

In rebuttal, appellants' counsel asserted the subject's dwelling size data was obtained "from the public data made available by the Assessor."²

Conclusion of Law

The appellants contend in part 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted on grounds of overvaluation.

The parties submitted a total of seven comparable sales, with one common property, to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellants' comparable sales #1 and #4 due to differences in dwelling size and date of sale, respectively. The Board has given reduced weight to board of review comparables #1 and #4 due to differences in dwelling size and date of sale, respectively.

The Board has given little weight to the board of review's contention about appellants' sale #2 from 2018; the Board finds that at issue is the best indication of the estimated market value of the subject property as of January 1, 2018 and thus the sales ratio study that assessing officials may undertake in the future is not persuasive for this 2018 tax year assessment appeal nor a reason to disregard a sale that occurred in 2018. The Board has given no weight to the board of review's suggested "time adjustment" to its comparable sale #4 as, to begin with, there is no basis to presume that the 2015 assessment of this property was identical to its 2015 sale price and furthermore, the application of equalization factors occurs throughout the jurisdiction uniformly and cannot be randomly applied to a single purchase price.

² In its memorandum, the board of review noted that on-line data has disclaimers related to continual updates and the most up-to-date data can be obtained from the assessing officials.

The Board finds the best evidence of market value in the record to be appellants' comparables #2 and #3 along with the board of review comparable sales #2 and #3. These four comparables present varying degrees of similarity to the subject in age and dwelling size but have similar features. These comparables sold from February 2017 to January 2018 for prices ranging from \$288,000 to \$435,000 or from \$94.67 and \$150.62 per square foot of living area, including land. The subject's assessment reflects a market value of \$420,069 or \$121.76 per square foot of living area, including land, which is within the range of the best comparable sales in this record both in terms of overall value and on a per-square-foot basis and appears to be logical given the subject's larger dwelling size than each of the best comparables. Accepted real estate valuation theory provides that all factors being equal, as the size of the property increases, the per unit value decreases. In contrast, as the size of a property decreases, the per unit value increases. Based on this evidence and after considering adjustments to the comparables for differences, the Board finds a reduction in the subject's assessment is not justified on grounds of overvaluation.

Alternatively, the taxpayers contend assessment inequity as a basis of the appeal concerning the improvement assessment. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellants met this burden of proof and a reduction in the subject's assessment is not warranted based on lack of uniformity in the improvement assessment.

The parties submitted a total of eighteen equity comparables, with two common properties, to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellants' equity comparables #1 through #4, #6, #9, #13 through #15 and board of review equity comparable #1 due to differences in dwelling size and/or age when compared to the subject.

The Board finds best evidence of assessment equity to be the appellants' equity comparables #5, #7, #8, #10, #11, #16 and #12/board of review comparable #3 along with board of review comparables #2 and #4. These comparables had improvement assessments ranging from \$102,338 to \$135,820 or from \$33.85 to \$41.23 per square foot of living area. The subject's improvement assessment of \$122,974 or \$35.64 per square foot of living area is within the range of the best equity comparables in this record. After considering adjustments to the comparables for differences in age, size and/or other features, the Board finds the appellants did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's improvement assessment is not 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: October 20, 2020



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

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