



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

APPELLANT: 1 Corinthians 2, LLC
DOCKET NO.: 18-03033.001-R-1
PARCEL NO.: 23-15-04-103-037-0000

The parties of record before the Property Tax Appeal Board are 1 Corinthians 2, LLC, the appellant, by attorney Jessica Hill-Magiera 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: \$2,277
IMPR.: \$24,723
TOTAL: \$27,000

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 is improved with a two-story dwelling with a vinyl siding exterior containing 2,269 square feet of living area. The dwelling was built in 1934. Features of the property include a full basement, two living units and a detached two-garage. The property has a 3,112 square foot site and is located in Steger, Crete Township, Will County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on April 28, 2017 for a price of \$81,000. A copy of the settlement statements provided by the appellant disclosed the sellers were Jose and Colette Garcia and further indicated the parties were not related. The appellant also indicated the property was sold through a Realtor and had been exposed to the market in the Multiple Listing Service (MLS). The seller's statement disclosed that a commission was paid to Applebrook Realty and Apex Real Estate Brokerage. The appellant also submitted a copy of the

MLS listing sheet for the subject property disclosing an asking price of \$85,000 and that the property had been on the market for 37 days. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$29,306. The subject's assessment reflects a market value of \$87,980 or \$38.77 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 support of its contention of the correct assessment the board of review submitted information on two comparable sales identified by the township assessor that are improved with two-story dwellings with vinyl siding exteriors containing 2,036 and 1,175 square feet of living area, respectively. The homes were built in 1884 and 1939. The comparables have either a crawl space or a slab foundation and comparable #2 has a detached garage with 660 square feet of building area. These properties sold in December 2017 and December 2016 for \$93,000 and \$65,000 or for \$45.68 and \$55.32 per square foot of living area, inclusive of the land, respectively.

The township assessor provided a written statement that the subject's 2017 assessment was reduced to reflect the purchase price and the 2018 assessment was reduced by the Will County Board of Review to the purchase price adjusted by the "multiplier." The assessor contends that when considering the two sales, the subject's assessment was reduced lower than the market value of the property.

The board of review requested no change be made to the assessment.

In rebuttal the appellant's counsel asserted the board of review did not provide evidence that the recent sale was not valid.

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 Board finds the best evidence of market value to be the purchase of the subject property in April 2017 for a price of \$81,000. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, the property was sold using a Realtor and the property had been advertised on the open market with the Multiple Listing Service. In further support of the transaction the appellant submitted a copy of the settlement statements and a copy of the MLS listing. The Board finds the purchase price is below the market value reflected by the assessment. The Board also finds the board of review

did not present any evidence to challenge the arm's length nature of the transaction. Although the board of review submitted two sales, the evidence indicated these properties are improved with single family dwellings, unlike the subject's two-unit configuration, which detracts from the weight that can be given this market data. Based on this record the Board finds a reduction in the subject's 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: February 16, 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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APPELLANT

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