



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

APPELLANT: Jimmy Brown
DOCKET NO.: 18-03403.001-R-1
PARCEL NO.: 02-01-153-008

The parties of record before the Property Tax Appeal Board are Jimmy Brown, the appellant, by attorney Brian S. Maher, of Weis, DuBrock, Doody & Maher in Chicago; and the Kendall 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 **Kendall** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$10,389
IMPR.: \$63,037
TOTAL: \$73,426

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Kendall 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 frame exterior construction with 2,105 square feet of living area. The dwelling was constructed in 2002. Features of the home include a full unfinished basement, central air conditioning and a two-car attached garage with 441 square feet of building area. The property has an 8,713 square foot site and is located in Montgomery, Bristol Township, Kendall County.

The appellant contends assessment inequity with respect to the improvement as the basis of the appeal. In support of this argument the appellant submitted information on six equity comparables located within same subdivision as the subject. The comparables are described as two-story dwellings that were constructed in 2002 and range in size from 2,395 to 2,586 square feet of living area. Each comparable has a full unfinished basement, central air conditioning and a garage with either 420 or 441 square feet of building area. Two comparables have fireplaces.

The comparables have improvement assessments ranging from \$67,393 to \$71,066 or from \$27.43 to \$27.95 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$58,287.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$73,426. The subject property has an improvement assessment of \$63,037 or \$29.95 per square foot of living area.

In response to the appellant's submission, the board of review noted the appellant's comparables have from 14% to 23% larger dwelling sizes than the subject.

In support of its contention of the correct assessment, the board of review submitted information on four equity comparables located within the same subdivision as the subject. The comparables consist of two-story dwellings of brick and frame exterior construction with either 2,080 or 2,096 square feet of living area. The dwellings were constructed in 2001 or 2002. Each comparable has a full unfinished basement, central air conditioning and a garage with 441 square feet of building area. The comparables have improvement assessments of \$62,294 and \$62,769 or \$29.95 per square foot of living area. A comparable map depicting the locations of the comparables in relation to the subject was submitted. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The appellant contends assessment inequity as the basis of the appeal. 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 appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted ten equity comparables for the Board's consideration. The Board gave less weight to the appellant's comparables due to having larger dwelling sizes when compared to the subject. The Board finds the best evidence of assessment equity to be the board of review comparables which are overall most similar to the subject in location, dwelling size, design, age and features. The comparables each have an improvement assessment of \$29.95 per square foot of living area which is identical to the subject's per square foot improvement assessment. Based on this record, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's 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: 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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