



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

APPELLANT: Patricia Cole
DOCKET NO.: 19-00204.001-R-1
PARCEL NO.: 19-09-14-304-044-0000

The parties of record before the Property Tax Appeal Board are Patricia Cole, the appellant, by attorney Omar Banna, of Mayster & Chaimson, Ltd in Chicago; 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: \$ 562
IMPR.: \$100,382
TOTAL: \$100,944

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 2019 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 hillside-ranch townhome of brick exterior construction with approximately 1,804 square feet of living area. The townhome was 12 years old. Features of the home include a full unfinished basement, central air conditioning and a 400 square foot garage. The property is located in Frankfort, Frankfort Township, Will County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal prepared by Garry Nusinow, a Certified General Real Estate Appraiser. The appraisal was prepared for *ad valorem* purposes and used the sales comparison approach to value estimating the subject property had a market value of \$302,500, including land, as of January 1, 2019.

Using the sales comparison approach to value, the appraiser examined four sales of comparable townhomes located from .11 to .37 of a mile from the subject. The dwellings are either 11 or 15 years old and range in size from 1,745 to 1,996 square feet of living area. Each comparable features a basement, central air conditioning, a fireplace and a two-car garage. The comparables sold from March 2017 to October 2018 for prices ranging from \$293,000 to \$310,000 or from \$155.31 to \$169.68 per square foot of living area, including land. Having adjusted these sales for differences from the subject, the appraiser arrived at adjusted sales prices ranging from \$294,000 to \$306,500 to arrive at an estimated market value for the subject of \$302,500. Based on this evidence, the appellant requested a total assessment reflective of the appraised value conclusion.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$121,293. The subject's assessment reflects a market value of \$363,479, land included, when using the 2019 three year average median level of assessment for Will County of 33.37% as determined by the Illinois Department of Revenue.

In response to the appeal, the board of review submitted a single-page memorandum and data prepared by Joseph N. Kral, Frankfort Township Assessor. The assessor argued that none of the comparable sales are located within the subject's townhome development. Furthermore, Kral contended that the appraiser failed to provide "a replacement value or ANY ASSESSMENT DATA WITHIN THE Autumn Ridge Townhouses." [Capitalization in original.]

In support of its contention of the correct assessment, the board of review through the township assessor submitted a grid analysis with four comparables presenting equity data. As the equity data is not responsive to the appellant's overvaluation argument, the Board will not examine or summarize this data. Based on this evidence and argument, the board of review requested confirmation of the subject's assessment.

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 and only evidence of market value in the record to be the appraisal submitted by the appellant. The board of review failed to provide any market value evidence such as comparable sales to refute the value conclusion in the appraisal report which opined a market value for the subject of \$302,500, including land. Besides noting that the appraiser did not utilize any comparable sales within the subject's townhome development, the assessing officials wholly failed to provide evidence of available comparable sales within the subject's townhome development to potentially refute the value conclusion contained within the appraisal report. As the record stands, the subject's assessment reflects a market value of \$363,479, land included, which is above the appraised value of \$302,500.

On this record, given an overvaluation appeal, the Board finds the subject property had a market value of \$302,500 as of the assessment date at issue. Since market value has been established the 2019 three year average median level of assessments for Will County of 33.37% as determined by the Illinois Department of Revenue shall apply. (86 Ill.Admin.Code §1910.50(c)(1)).

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: June 8, 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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