



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

APPELLANT: Michael & Dawn Santiago
DOCKET NO.: 19-00271.001-R-1
PARCEL NO.: 16-05-18-102-016-0000

The parties of record before the Property Tax Appeal Board are Michael & Dawn Santiago, the appellants, by attorney Scott Shudnow of Shudnow & Shudnow, 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: \$22,855
IMPR.: \$112,145
TOTAL: \$135,000

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 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 two-story traditional style dwelling of brick, frame and masonry exterior construction with 3,441 square feet of living area.¹ The dwelling was constructed in 2007 and is approximately 12 years old. Features of the home include an unfinished full basement, central air conditioning, one fireplace and a three-car garage with 930 square feet of building area. The property also features an 881 square foot paver patio and a 442 square foot inground swimming pool with an approximately 718 square foot concrete apron.

¹ The parties differ slightly as to the size of the subject's dwelling. The Board finds the small discrepancy will not impact the Board's decision in this appeal. The Board finds the best evidence of the description of the subject dwelling and garage was presented in the subject's property record card presented by the board of review which contained a more detailed schematic diagram and the calculations of the sizes of subject's dwelling and garage, as well as the sizes of the subject's paver patio and inground swimming with a concrete apron, which was not provided in the appellants' appraisal.

The property has an approximately 11,055 square foot site and is located in Lockport, Homer Township, Will County.²

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted an appraisal estimating the subject property had a market value of \$405,000 as of January 1, 2019. The appraisal was prepared by Garry Nusinow, a Certified General Real Estate Appraiser. The intended use of the appraisal was for an appeal of the assessment of the subject property. The appraiser noted the subject residence is in above average condition; physical depreciation is due to normal wear and tear; the subject property receives average maintenance compared to this neighborhood and competing area; no repairs required; and the quality of construction is above average. The appraiser included a picture addendum in the appraisal report.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value. Under the sales comparison approach to value the appraiser chose five comparables sales located from .14 to .41 of a mile from the subject property. The comparables have sites that range in size from 10,080 to 12,094 square feet of land area. The comparables were described as Traditional or Colonial style dwellings that range in size from 2,914 to 3,696 square feet of living area. The dwellings range in age from 4 to 18 years old. Each comparable has a basement, one of which has finished area. The comparables each have central air conditioning, a fireplace and a three-car garage. The comparables sold from May to November 2018 for prices ranging from \$342,500 to \$423,750 or from \$95.11 to \$130.06 per square foot of living area, including land. The appraiser adjusted the comparables for sales or financing concessions, location, view, condition, gross living area, basement size, basement finished area and differing features to arrive at adjusted prices ranging from \$368,000 to \$427,500. As a result, the appraiser arrived at an estimated market value for the subject of \$405,000 as of January 1, 2019.

Based on this evidence, the appellants requested a reduction in the subject's assessment to \$135,000 to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$143,318. The subject's assessment reflects a market value of \$429,482 or \$124.81 per square foot of living area, 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 support of its contention of the correct assessment of the subject property, the board of review through the township assessor, submitted a letter, grid analysis and property record cards of the subject and four comparable sales located from .13 to .54 of a mile from the subject property. Board of review comparable sale #1 is a duplicate of comparable sale #4 in the appellants'

² The parties differ as to the site size of the subject property. The appraiser reported the subject's site size as 11,055 square feet of land area, while the board of review reported the subject's site size as 11,739 square feet of land area. The Board finds the best evidence of the subject's site size is found in the appellants' appraisal, where the appraiser reported the subject's site dimensions as 110.54' x 135' x 50.50' x 102.72' x 101.26' or approximately 11,055 square feet of land area and also included a copy of the subject property's plat of survey.

appraisal. The comparables have sites that range in size from 10,403 to 12,570 square feet of land area. The comparables are improved with two-story dwellings of brick, brick and siding or brick, siding and stone exterior construction ranging in size from 2,520 to 3,454 square feet of living area. The dwellings were built from 1995 to 2014. The board of review reported that three comparables have unfinished basements. No information was provided with respect to the basement finish, if any, of comparable #1. The comparables each have central air conditioning, a fireplace and a garage that ranges in size from 598 to 946 square feet of building area. The comparables sold from May 2018 to February 2019 for prices ranging from \$389,000 to \$547,000 or from \$129.87 to \$175.40 per square foot of living area, including land. The assessor provided a map depicting the locations of both parties' comparables in relation to the subject property, along with a second grid analysis reiterating the comparable sales utilized by the appellants' appraiser.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, counsel for the appellants argued that the comparable sales presented by the board of review were unadjusted raw sales. Counsel critiqued the board of review comparables and asserted that many of the comparables are far superior to the subject in terms of customization and amenities. In support of these claims, the appellants provided Multiple Listing Service sheets and photographs of each of the board of review comparables. The appellants noted that board of review comparable #1 was also utilized by the appellants' appraiser who made professional adjustments to this property in accordance with USPAP guidelines. The appellants disclosed that the listing sheets depict board of review comparable #2 has a full finished basement with a theater room; board of review comparable #3 is a custom home with a gourmet kitchen and custom cabinets and a full finished basement with a wet bar; board of review comparable #4 has a finished basement with a wet bar and kitchen. The appellants request a finalized assessed valuation of \$135,000 to reflect the appraised value of \$405,000.

Conclusion of Law

The appellants contend 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 met this burden of proof and a reduction in the subject's assessment is warranted.

In support of their arguments before the Property Tax Appeal Board, the appellants submitted an appraisal report estimating the subject property had a market value of \$405,000 as of January 1, 2019, while the board of review submitted four comparable sales, one of which was also utilized by the appellants' appraiser.

The Board finds the best evidence of market value to be the appraisal submitted by the appellants. The appraiser developed the sales comparison approach to value using five comparable sales, which were similar to the subject in location, dwelling size and age. The appraiser adjusted the comparables for differences from the subject property, which appeared

reasonable, and arrived at an estimated market value of \$405,000. The subject's assessment reflects a market value of \$429,482, which is greater than the appraised value. The Board has given less weight to the unadjusted comparable sales submitted by the board of review. Moreover, board of review comparable #2 is a considerably older dwelling which is smaller in size when compared to the subject dwelling and has a finished basement with a media room and wet bar, not features the subject enjoys; board of review comparable #3 has a finished basement with a look-out design, a custom bar and walk-in wine cellar, in contrast to the subject's unfinished basement; and board of review comparable #4 has a considerably smaller dwelling size when compared to the subject dwelling and a finished basement with a wet bar and second kitchen, unlike the subject's unfinished basement. Based on this record, the Board finds a reduction in the subject's assessment is warranted commensurate with the appellants' request.

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: August 24, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Michael & Dawn Santiago, by attorney:
Scott Shudnow
Shudnow & Shudnow, Ltd.
77 West Washington Street
Suite 1620
Chicago, IL 60602

COUNTY

Will County Board of Review
Will County Office Building
302 N. Chicago Street
Joliet, IL 60432