



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

APPELLANT: Charles Friedl  
DOCKET NO.: 19-00306.001-R-1  
PARCEL NO.: 15-08-12-409-020-0000

The parties of record before the Property Tax Appeal Board are Charles Friedl, the appellant, by attorney Edward V. Sharkey, of Sharkey & Conroy, P.C. in Mokena; 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:** \$46,617  
**IMPR.:** \$151,935  
**TOTAL:** \$198,552

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Lake 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 custom-built two-story dwelling of brick, stone and frame exterior construction with 4,120 square feet of living area. The dwelling was constructed in 2013 and is six years old. Features of the home include an unfinished walk-out basement, central air conditioning, a fireplace and a three-car garage. The property has a 23,958 square foot site and is located in Mokena, New Lenox Township, Will County.<sup>1</sup>

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$595,000

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<sup>1</sup> The parties differ slightly as to the subject's dwelling size. The Board finds the sketch submitted by the appraiser to be more detailed than the board of review's sketch in the subject's property record card and therefore more accurate. The Board finds the slight difference in the subject's dwelling size will not affect the Board's decision in this appeal.

as of February 19, 2019. The appraisal was prepared by Kurt Wessel, a certified residential real estate appraiser.

The appraisal was prepared for Guaranteed Rate, Inc., the lender/client, with the intended use in support of a mortgage decision and intended users limited to the lender/client. The appraiser described the subject as a custom-built home in a newer residential section that is improved with custom-built ranch and two-story homes. The subject's Mokena market is described as having stable sale prices over the prior 12 months with a limited number of comparable closed sales located within one mile of the subject property. The appraiser indicated that the comparable properties included in the appraisal report represented the "only available sales or listing of fairly similar style homes from the immediate market area and are considered to be locationally, physically and functionally most similar to the subject property as of the effective date of the appraisal report."

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value using six comparable properties located within 0.52 of a mile from the subject. Four of the comparables are closed sales and two have either pending or active listing status. The comparables have sites that range in size from 13,084 to 25,404 square feet of land area and are improved with two-story dwellings that range in size from 3,565 to 5,443 square feet of living area. The homes range in age from 6 to 12 years old. Each comparable has a basement, three with finished area, central air conditioning, one to four fireplaces and a three-car garage. Comparables #4 and #6 include inground swimming pool amenities. Each of the comparables is identified as having custom features. Comparables #1 through #4 sold from July 2017 to December 2018 for prices of \$525,000 to \$740,000 or from \$135.95 to \$175.97 per square foot of living area, land included. Comparable #5 represents a pending sale with a contract price of \$550,000 and comparable #6 is an active listing with a list price of \$723,995.

After adjusting comparables #5 and #6 by 4% for their pending or active listing status, the appraiser adjusted the comparables for differences with the subject in site size, view, dwelling size, room count, basement area and finished area, fireplace count and exterior amenities such as inground pool. Following adjustments, the appraiser arrived at adjusted sale prices for the comparables ranging from \$573,150 to \$673,000 and an opinion of market value for the subject of \$595,000. In the Supplemental Addendum comments the appraiser stated that comparables #1 and #2 represented the most recently recorded sales of two-story homes from the subject's subdivision and gave these two comparable sales the "greatest weight." Based on this evidence, the appellant requested the subject's assessment be reduced to \$198,313 which equates to the appraised value when applying the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$218,922. The subject's assessment reflects a market value of \$656,044 or \$159.23 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 the board of review submitted information on property record cards, PTAX-203 Illinois Real Estate Transfer Declarations and limited information on three comparables, one of which is located in the same subdivision as the subject

property. Board of review comparable #3 is the closed sale of the appraiser's comparable #6. Two of the comparables have sites with 12,600 or 15,000 square feet of land area. The comparable sites are improved with one-story or part one-story and part two-story dwellings of frame and masonry exterior construction that range in size from 2,855 to 3,666 square feet of living area. The homes were built in 2008 or 2014. Each comparable has a basement with finished area, one fireplace and a garage ranging in size from 726 to 880 square feet of building area. Comparables #1 and #3 also feature inground swimming pools and large patio areas. The comparables sold from July 2018 to July 2019 for prices ranging from \$521,000 to \$630,000 or from \$171.85 to \$191.28 per square foot of living area, land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

### **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 evidence in the record 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 appraisal submitted by the appellant. The subject's assessment reflects a market value of \$656,044 or \$159.23 per square foot of living area, including land, which is above the appraised value. The Board finds the subject property had a market value of \$595,000 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)).

The Board gives little weight to the board of review comparables #1 and #2 which differ from the subject in design and are located an unknown distance outside of the subject's subdivision. The Board finds the board of review comparable #3 reflects the July 2019 sale of the appraisal comparable #6 which was an active listing on the appraisal effective date. The appraised value of the subject property appears to be further supported board or review's comparable #3 which sold for \$630,000 and has a water view, a finished basement and an inground pool, when compared to the subject's residential view, unfinished basement and lack of inground pool.

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.



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Chairman



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Member

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Member



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Member



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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: January 18, 2022



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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

Charles Friedl, by attorney:  
Edward V. Sharkey  
Sharkey & Conroy, P.C.  
9991 191st Street  
Mokena, IL 60448

COUNTY

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