



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

APPELLANT: Mildred McDonald
DOCKET NO.: 19-00562.001-R-1
PARCEL NO.: 23-15-02-201-035-0000

The parties of record before the Property Tax Appeal Board are Mildred McDonald, the appellant; and the Will 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 Will County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$10,865
IMPR.: \$45,462
TOTAL: \$56,327

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 split-level dwelling of frame and brick exterior construction with 2,383 square feet of above grade living area. The dwelling was constructed in 1986 and is approximately 33 years old. Features of the home include an unfinished partial basement, central air conditioning, a fireplace and a 2-car garage with 506 square feet of building area. The property has a 12,266 square foot site and is located in Crete, Crete Township, Will County.¹

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 \$115,000 as of January 1, 2019. The appraisal was prepared by Jerry Cobbin, a certified residential real estate appraiser.

¹ The parties disagree as to the subject's site size. The Board finds the property details submitted by the board of review to be most reliable. This discrepancy shall not preclude the Board from deciding the correct assessment for the subject.

The intended use of the appraisal report was to “aid the client with a market value as of the effective date of this report for tax appeal purposes.” Users of the report include the State of Illinois and/or County taxing authorities. The appraiser indicated the subject property was observed from the street only and that subject property details were obtained from the local assessor’s office. The appraiser stated that the opinion of value is predicated upon the “hypothetical condition” that the subject is in typical condition.²

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value using three comparable sales located from 0.01 to 0.35 of a mile from the subject property. The comparables have sites that range in size from 10,000 to 12,000 square feet of land area and are improved with one split-level and two, two-story dwellings that range in size from 1,868 to 2,552 square feet of above grade living area. The homes range from 32 to 41 years old. Each comparable has a basement, one with finished area, central air conditioning, one fireplace and a 2-car garage. The comparables sold from March 2017 to October 2018 for prices of \$90,000 to \$125,000 or from \$35.27 to \$66.92 per square foot of living area, land included.

The appraiser adjusted the comparables for differences with the subject in condition, dwelling size, basement features and room counts. There was no detailed explanation of the adjustments included in the appraisal report. The Board notes that no adjustment was made for differences from the subject in design and that comparables #1 and #3, both which appear to essentially equal partial unfinished basements, like the subject, were inconsistently adjusted. After adjustments, the appraiser arrived at adjusted sale prices of the comparables ranging from \$111,000 to \$123,500 and an opinion of market value for the subject of \$115,000.

Based on this evidence, the appellant requested the subject’s assessment be reduced to \$38,333 which equates approximately to the appraised value of the subject property when applying the statutory assessment level of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$56,327. The subject's assessment reflects a market value of \$168,795 or \$70.83 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 three comparables located within 0.30 of a mile from the subject property. The comparables have sites that range in size from 10,316 to 30,768 square feet of land area and are improved with split-level dwellings of brick and frame exterior construction that range in size from 1,952 to 2,161 square feet of above grade living area. The homes were built in 1986 or 1989. Two comparables have unfinished partial basements. Each comparable has central air conditioning,

² A hypothetical condition, when used in a real estate appraisal, indicates a condition which is known to be false. The appraiser likely meant to imply an extraordinary assumption with respect to the subject’s condition being typical. An extraordinary assumption implies an unknown condition, which if found to be contrary to the assumption, could alter the appraiser’s opinion of value.

one fireplace and a garage ranging in size from 484 to 523 square feet of building area. The comparables sold from July 2018 to April 2019 for prices ranging from \$168,000 to \$189,900 or from \$82.37 to \$97.28 per square foot of living area, land included.

The board of review, through the Crete Township Assessor, submitted comments disclosing the subject sold in October 2015 for a price of \$167,500 and critiquing the appraisal comparables. It asserted that comparable #1 sold in July 2018 for a price of \$218,000 in contrast to the \$90,000 2017 sale contained in the appraisal, while appraisal comparable #2 sold in June 2019 for \$205,000 compared to the October 2018 sale for \$122,500 contained in the appraisal report. The board of review indicated that its three comparable sales were each similar split-level dwellings located in the subject's subdivision and sold proximate to the January 1, 2019 assessment date. 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted an appraisal and three comparable sales for the Board's consideration. The Board finds that appraisal comparables #1 and #3, which sold in 2017, are less proximate in time to the January 1, 2019 assessment date at issue. Furthermore, each of these comparable properties had subsequent sales in 2018 or 2019, both occurring prior to the September 2019 report date, which were not disclosed or discussed by the appraiser as to why the sales were not considered. At a minimum, the 2018 sale of comparable #1 should have been utilized or disclosed. Appraisal comparables #2 and #3 were given less weight due to their two-story design when compared to the split-level design of the subject property. Based on the foregoing, the Board finds the appraiser's estimated opinion of market value for the subject, as presented in the appraisal, lacks credibility and, therefore, has been given little weight.

The Board finds the best evidence of market value to be the board of review comparable sales which are similar to the subject in age, location, design and most features. These properties sold from July 2018 to April 2019 for prices ranging from \$168,000 to \$189,900 or from \$82.37 to \$97.28 per square foot of living area, including land. The subject's assessment reflects a market value of \$168,795 or \$70.83 per square foot of living area, including land, which falls within the range established by the best comparable sales in the record on an overall basis and below the range on a per square foot basis. After considering adjustments to the comparables for differences from the subject, the Board finds 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: October 19, 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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