



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

APPELLANT: Richard Marraccini
DOCKET NO.: 19-00587.001-R-1
PARCEL NO.: 11-04-06-107-028-0000

The parties of record before the Property Tax Appeal Board are Richard Marraccini, the appellant, by Jessica Hill-Magiera, Attorney at Law in Lake Zurich; 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: \$16,840
IMPR.: \$76,484
TOTAL: \$93,324

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 two-story dwelling of frame exterior construction with 2,384 square feet of living area.¹ The dwelling was constructed in 2000. Features of the home include a full basement, central air conditioning, a fireplace and a two-car garage with 550 square feet of building area. The property has an approximately .16-acre site and is located in Plainfield, Lockport Township, Will County.²

¹ The Multiple Listing Service (MLS) sheet provided by the appellant and the property record card provided by the board of review differ as to the subject's dwelling size. The Board finds the best evidence of the subject's dwelling size was presented by the board of review located in the property record card which contained a schematic diagram and the measurements of the subject's size.

² The MLS sheet provided by the appellant and the PTAX-203 Illinois Real Estate Transfer Declaration provided by the board of review differ as to the subject's site size. The Board finds the best evidence of the subject's site size was presented by the board of review located in the real estate transfer declaration.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on February 1, 2019 for a price of \$275,000. The appellant's counsel reported that the subject was purchased from the owner of record, the parties to the transaction were not related and the property was advertised using a realtor. The appellant submitted a copy of the listing sheet disclosing the property had been advertised for 54 days. A copy of an unsigned Seller's Closing Statement reflects the reported purchase price, date of closing and disclosed the seller as Anthony Catalano, Trustee of the Anthony R. Catalano Trust dated April 2, 2018 and also depicts real estate commissions. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$93,324. The subject's assessment reflects a market value of \$279,664 or \$117.31 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 response to the appeal, the board of review submitted a letter prepared by the Lockport Township Assessor critiquing the appellant's evidence. The assessor asserted that there is nothing to indicate the validity of the Seller's Closing Statement. The assessor noted that there is no property record card or PTAX-203 Illinois Restate Transfer Declaration showing a sale price of \$275,000 provided by the appellant. The assessor has provided as evidence, a copy of the PTAX-203 Illinois Real Estate Transfer Declaration associated with the subject's transaction indicating the seller was Anthony Catalano, Trustee of the Anthony R. Catalano Trust dated April 2, 2018, the property had been advertised and the full actual consideration was \$280,000 with no deductions for personal property. The transfer declaration was sign by both the seller and the buyer's agent and was recorded by the Will County Recorder of Deeds according to the filed stamp date of February 7, 2019. The assessor noted that the appellant was offered a reduction to an assessed value of \$93,333 which is 1/3 of the sale. The assessor noted that the appellant refused the offer, but the decision of the board of review was to reduce the subject's assessment to \$93,324.

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

In written rebuttal, counsel argued that the PTAX-203 provided by the board of review is erroneous and appears to have been created more than a year before actual closing. Counsel asserted that the appellant submitted an MLS listing and the HUD Closing Statement which reflects the true and correct selling price. Counsel requested a reduction in 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The basis of the appellant's appeal is the fact the subject property sold in February 2019. The appellant reported the subject sold for a price of \$275,000, while the board of review reported the subject sold for a price of \$280,000. The parties provided evidence demonstrating the sale had the elements of an arm's length transaction. The evidence disclosed the parties to the transaction were not related, the property was sold using a realtor and had been advertised in the Multiple Listing Service. The Board finds the best evidence of the purchase price was provided by the board of review located in the PTAX-203 Illinois Real Estate Transfer Declaration with a recorded date as of February 8, 2019, which depicts a full consideration amount of \$280,000 with no deductions for personal property. The Board finds the settlement statement provided by the appellant did not include the signatures of the buyers or the sellers, which detracts from the weight that can be given this document. The subject's assessment reflects a market value of \$279,664, which is slightly less than the subject's purchase price of \$280,000. Based on this record 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: September 21, 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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