



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

APPELLANT: Muneeva
DOCKET NO.: 19-01269.001-R-1
PARCEL NO.: 07-01-04-277-008-0000

The parties of record before the Property Tax Appeal Board are Muneeva, the appellant, by attorney Jerri K. Bush of the Law Office of Jerri K. Bush 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: \$67,259
IMPR.: \$159,624
TOTAL: \$226,883

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 EIFS exterior construction with 4,743 square feet of living area.¹ The dwelling was constructed in 1994. Features of the home include an unfinished basement, central air conditioning, two fireplaces and a four-car garage with 813 square feet of building area. The property is located in Naperville, Wheatland Township, Will County.

Although the appellant did not mark the basis of the appeal in the appeal petition, based upon the comparable sales and the subject's recent listing provided, the Board will analyze the appeal based on overvaluation. In support of this argument, the appellant submitted information on three comparable sales located from .25 to .99 of a mile from the subject property and within the

¹ The Board finds the best description of the exterior construction of the subject dwelling is found in the Multiple Listing Service (MLS) listing sheets provided by the appellant.

same assessment neighborhood code as the subject. The comparables are improved with two-story dwellings of EIFS, EIFS and stone or brick, EIFS and stone exterior construction that range in size from 4,439 to 4,889 square feet of living area. The dwellings were built in 1993 or 1996. Each comparable has a basement, two of which have finished area. The comparables each have central air conditioning, two comparables have either one or three fireplaces and each comparable has a garage, which were described as either having 698 or 742 square feet of building area or a three-car garage, respectively. The comparables sold from August 2018 to March 2019 for prices ranging from \$593,092 to \$640,000 or from \$121.54 to \$140.12 per square foot of living area, including land.

As part of the submission, counsel for the appellant provided a 2019 Multiple Listing Service (MLS) sheet for the subject property, along with a Listing and Property History Report, which disclosed the subject property was originally listed on June 28, 2019 for a price of \$679,900, which was cancelled on August 1, 2019. Broker remarks on the listing sheet disclosed the subject property was rented on August 1, 2019.

Based on this evidence, the appellant requested the subject's assessment be reduced to \$208,313, which would reflect a market value of approximately \$625,000 or \$131.77 per square foot of living area, using 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 \$231,667. The subject's assessment reflects a market value of \$694,237 or \$146.37 per square foot of living area, land included, when using the 2018 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 a memorandum critiquing the appellant's comparables, along with property record cards and a grid analysis of the subject and four comparable sales. Board of review comparable #3 is the same property as the appellant's comparable #2. The evidence was prepared by the Wheatland Township Assessor's Office. The comparables are located from .27 to .77 of a mile from the subject property and within the same assessment neighborhood code as the subject. The comparables are improved with two story dwellings of frame exterior construction that range in size from 4,573 to 4,889 square feet of living area. The dwellings were built from 1993 to 2000. Each comparable has an unfinished basement, central air conditioning, one or three fireplaces and a garage ranging in size from 742 to 1,134 square feet of building area. The comparables sold in June or September 2018 for prices ranging from \$593,092 to \$925,000 or from \$121.54 to \$191.43 per square foot of living area, including land. Based on this evidence, 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 record disclosed the subject property had been listed for sale in the Multiple Listing Service beginning on June 28, 2019 for a price of \$679,900. The Board finds the appellant listed the property for an amount below the market value reflected by the subject's assessment. Typically, the listing price sets the upper limit of value. The board of review did not dispute the fact that the property was listed on the open market. Based on this record, the Board finds the appellant demonstrated by a preponderance of the evidence that the subject was overvalued and a reduction in the subject's assessment is 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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