



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

APPELLANT: Terra Info Holdings LLC
DOCKET NO.: 19-01270.001-R-1
PARCEL NO.: 07-01-19-277-008-0000

The parties of record before the Property Tax Appeal Board are Terra Info Holdings LLC, 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: \$19,177
IMPR.: \$100,621
TOTAL: \$119,798

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 brick exterior construction with 2,927 square feet of living area. The dwelling was constructed in 1997. Features of the home include a basement with finished area, central air conditioning, a fireplace and a 1,182 square foot garage. The property has a 11,356 square foot site and is located in Plainfield, Wheatland Township, Will County.¹

¹ The Board finds the best evidence of the subject's site size is found in the property record card presented by the board of review which depicts the subject's lot dimensions as 68' x 167' or approximately 11,356 square feet of land area when calculated. The appellant reported the subject's site size as .25 to .49-acres in Section III – Description of Property of the appeal petition which contradicts the subject's site size of .96-acres that the appellant reported in the grid analysis

The appellant contends both overvaluation and assessment inequity with respect to the improvement as the bases of the appeal.² In support of these arguments the appellant submitted information on three comparables located from .32 of a mile to 2.80 miles from the subject property, one of which is within the subject's neighborhood. The comparables have sites that range in size from 28,314 to 56,628 square feet of land area. The comparables are improved with two-story dwellings of vinyl siding and stone, vinyl siding and brick or brick and cedar exterior construction ranging in size from 2,586 to 3,804 square feet of living area. The dwellings were built from 1997 to 2002. Each comparable has a basement with two having finished area. The comparables each have central air conditioning, at least one fireplace and a garage that ranges in size from 529 to 840 square feet of building area. The comparables sold from September 2018 to March 2019 for prices ranging from \$325,000 to \$420,000 or from \$102.75 to \$137.34 per square foot of living area, including land, and have improvement assessments ranging from \$84,761 to \$135,093 or from \$29.39 to \$35.51 per square foot of living area.³

As part of the submission, counsel for the appellant provided a Multiple Listing Service (MLS) sheet, along with a Listing and Property History Report which disclosed the subject property was originally listed on August 19, 2019 for a price of \$359,000. The listing was subsequently removed from the MLS on September 6, 2019.

Based on this evidence, the appellant requested the subject's total assessment be reduced to \$113,332 with an improvement assessment of \$94,145 or \$32.16 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$137,205. The subject's assessment reflects a market value of \$411,163 or \$140.47 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. The subject property has an improvement assessment of \$118,028 or \$40.32 per square foot of living area.

In response to the appellant's evidence, the board of review through a memorandum written by the township assessor noted that the appellant did not provide the basis of the appeal. The assessor critiqued the appellant's comparables and reported that appellant's comparables #1 and #2 are located in a different subdivision; and comparable #3 is 877 square feet larger than the subject.

In support of its contention of the correct assessment, the board of review through the township assessor submitted a grid analysis and property record cards of the subject and three comparables with both sales and equity data. The comparables are located within the same assessment neighborhood as the subject property and within .37 of a mile from the subject. The comparables have sites that range in size from 30,492 to 53,375 square feet of land area, which were obtained from the property record cards. The comparables are improved with two-story dwellings of frame exterior construction ranging in size from 2,550 to 2,800 square feet of living area. The

² The appellant did not mark any basis of appeal in Section 2d of the Residential Appeal petition as required. The appellant's evidence included both assessment and sales data for three comparables.

³ Some of these calculations are based on mathematical corrections to the appellant's data.

dwellings were built from 1992 to 2000. Each comparable has a basement with finished area, central air conditioning and a garage that ranges in size from 551 to 784 square feet of building area. Two comparables each have one fireplace. The comparables sold from March 2017 to May 2019 for prices ranging from \$335,000 to \$440,900 or from \$130.20 to \$157.46 per square foot of living area, including land. The assessor noted that the average sale price of these comparable properties is \$391,967 or a total assessed value of \$130,656. The assessor offered a reduction in the subject's 2019 assessment to reflect this value, but the offer was declined. The comparables have improvement assessments ranging from \$99,986 to \$111,789 or from \$38.86 to \$39.92 per square foot of living area.

Based on this evidence and given the assessor is not party to the appeal, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The appellant contends in part that 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 a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the listing of the subject property. The record disclosed the subject property had been listed for sale in the Multiple Listing Service beginning on August 19, 2017 for a price of \$359,000. 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 property was listed on the open market. Less weight was given the comparable sales provided by the appellant as comparables #1 and #2 are located approximately 2 miles or more away from the subject and comparable #3 has a considerably larger dwelling size when compared to the subject dwelling. Less weight was given to the comparables provided by the board of review as they have considerably larger site sizes when compared to the subject and/or their sale dates occurred less proximate in time to the January 1, 2019 assessment date.

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.

Alternatively, the taxpayer contends assessment inequity as a basis of the appeal concerning the improvement assessment. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). After reviewing the record and considering the assessment reduction granted to the subject property based on market value consideration, the Board finds the subject property is

equitably assessed. Therefore, no further reduction in the subject's assessment is warranted based on the principles of uniformity.

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

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