



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

APPELLANT: Jin Fen Huang  
DOCKET NO.: 19-01893.001-R-1  
PARCEL NO.: 15-19-401-009

The parties of record before the Property Tax Appeal Board are Jin Fen Huang, the appellant, and the Kane 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 **Kane** County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$13,688  
**IMPR.:** \$80,168  
**TOTAL:** \$93,856

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Kane 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 2,504 square feet of living area.<sup>1</sup> The dwelling was constructed in 2002. Features of the home include a partial basement with finished area, central air conditioning, a fireplace and an attached two-car garage. The property has a 12,768 square foot site and is located in Aurora, Aurora Township, Kane County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant completed Section IV – Recent Sale Data and reported that the subject property was purchased on July 27, 2017 from Shawn M. Munos for a price of \$240,000. The appellant further reported that the parties to the transaction were not related, the property was sold through a realtor and the property was advertised through the Multiple Listing Service (MLS) for a

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<sup>1</sup> All descriptive details for the subject have been drawn from the appellant's evidence as the board of review did not provide any characteristics data with its submission.

period of 340 days. The documentation supplied by the appellant included an Addendum to the Real Estate Contract, the Real Estate Contract, the PTAX-203 Illinois Real Estate Transfer Declaration, the MLS listing sheet with a property history report and the Settlement Statement with commissions distributed to two entities. Based on this evidence, the appellant requested a reduction in the subject's assessment to approximately reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$95,430. The subject's assessment reflects a market value of \$286,577, land included, when using the 2019 three-year average median level of assessment for Kane County of 33.30% as determined by the Illinois Department of Revenue.

In response to the appeal, the board of review submitted a statement that the board of review accepts the 2017 purchase price. The assessing officials further contend that the subject's 2017 purchase price should have the 2018 township equalization factor of 1.0853 or 8.53% applied along with the 2019 township equalization factor of 1.0811 or 8.11% to arrive at a proposed reduced 2019 assessment of \$93,856. Based on this evidence and argument, the assessing officials contend that the subject property's 2019 assessment should be reduced to \$93,856.

The appellant was informed of this proposed assessment reduction and rejected the offer. The appellant contends that the subject's 2019 assessment should reflect 1/3 of its 2017 purchase price.

### **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 establishes that a reduction in the subject's assessment is warranted.

The Board finds the best and only evidence of market value in the record to be the purchase of the subject property in July 2017 for a price of \$240,000. The appellant set forth evidence asserting the sale had the elements of an arm's length transaction and the assessing officials agreed that the 2017 sale price was "accepted."

The Illinois Supreme Court has held that a contemporaneous sale between two parties dealing at arm's length is not only relevant to the question of fair cash value but practically conclusive on the issue on whether the assessment is reflective of market value. Korzen v. Belt Railway Co. of Chicago, 37 Ill.2d 158 (1967). The Board finds the purchase price of \$240,000 is below the market value reflected by the assessment of \$286,577, land included.

The Board further finds that the board of review agreed that the April 2017 sale was an arm's length transaction and determined the purchase price was sufficient to reduce the subject's assessment to reflect that transaction plus the 2018 and 2019 township equalization factors.

First, the Property Tax Appeal Board takes judicial notice of the purpose of equalization factors as set forth in the Illinois Department of Revenue publication, PTAX-1004, The Illinois Property Tax System, page 17, concerning how uniformity in assessments is achieved by applying equalization factors:

The assessment/sales ratio study shows **whether or not assessments within a given area actually average 33 1/3 percent of market value**. If the results of the study indicate that assessments are either higher or lower than 33 1/3 percent, a blanket percentage increase or decrease, called an "equalization factor" or "multiplier" is calculated and applied to all non-farm property to bring the level of assessment to 33 1/3 percent. The application of this uniform percentage increase or decrease to assessed values is called "equalization." [Emphasis added.]

Second, the Property Tax Appeal Board also recognizes that the board of review did not present any evidence of market value, such as comparable sales, in support of the subject's assessment for tax year 2019 in order to establish that the sale price was no longer the best evidence of the subject's market value. However, pursuant to the Property Tax Code, once every four years assessing officials are to reassess properties and 2019 was the first year of the general assessment cycle for the subject property. (35 ILCS 200/9-155). Thus, here, where the subject's sale occurred in 2017 and where 2019 is the start of a new reassessment cycle in Kane County, while the absence of other market value evidence to suggest that the sale price was no longer reflective of market value in 2019 is somewhat troubling, the Board finds under the terms of the Property Tax Code, the assessing officials had no obligation whatsoever to give weight or consideration to the subject's 2017 purchase price for the new general assessment cycle in 2019.

Therefore, on this record, as presented by both the appellant and the board of review, the Board finds that for tax year 2019 the subject property is overvalued and a reduction in the subject's assessment commensurate with the proposal made by the board of review 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: 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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