



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

APPELLANT: Kiran Patel / R & R Investment Management  
DOCKET NO.: 19-02459.001-R-1  
PARCEL NO.: 15-27-251-003

The parties of record before the Property Tax Appeal Board are Kiran Patel / R & R Investment Management, the appellant, by Jessica Hill-Magiera, Attorney at Law in Lake Zurich; and the Kane 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 **Kane** County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$3,550  
**IMPR.:** \$47,483  
**TOTAL:** \$51,033

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 part 2-story and part 1-story duplex/multi-family dwelling of frame exterior construction with 2,439 square feet of living area.<sup>1</sup> The dwelling was constructed in 1902. Features of the home include a basement and a 400 square foot garage. The property has a 6,098 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 submitted information on three comparable sales located within 0.61 of a mile from the subject property. The comparables are improved with a 2-story and two, part 2-story/part 1-story dwellings that range in size from 2,075 to 2,556 square feet of living area. The dwellings were

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<sup>1</sup> The subject's property record card describes the subject as a multi-family property with two addresses associated with the parcel. Board of review comparable #2 has two street addresses shown on the board of review's grid analysis.

built in 1900 or 1902. Each comparable has a basement and a garage with either 360 or 400 square feet of building area. One comparable has central air conditioning and two comparables each have one fireplace. The properties sold from February to May 2019 for prices ranging from \$53,500 to \$143,000 or from \$22.70 to \$55.95 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$38,393 which reflects a market value of \$115,191 or \$47.23 per square foot of living area, land included, 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 \$51,033. The subject's assessment reflects a market value of \$153,252 or \$62.83 per square foot of living area, 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 support of its contention of the correct assessment the board of review submitted information on three comparable sales located within 0.21 of a mile from the subject property. The comparables are improved with a 2-story, a part 2-story/part 1-story and a part 2-story/part 1.5-story/part 1-story dwellings that range in size from 1,782 to 2,632 square feet of living area. The homes were built in 1900. Each comparable has a basement and a garage ranging in size from 112 to 480 square feet of building area. Two of the comparables have central air conditioning. Comparable #2 is a similar duplex style dwelling. The properties sold from March 2017 to August 2018 for prices ranging from \$170,000 to \$195,000 or from \$64.59 to \$101.01 per square foot of living area, land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

In rebuttal, the appellant's attorney critiqued the board of review's comparables arguing that comparables #1 and #3 were smaller in dwelling size when compared to the subject and that comparable #2 sold in 2017, too remote in time to establish market value as of the January 1, 2019 assessment date. Counsel took issue with the Property Tax Appeal Board's use of ranges of sale price and price per square foot when ruling on appeals. The attorney then presented two grid analyses one with both parties' comparable and the second with the appellant's selected two best comparable sales.

### **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 parties submitted six comparable sales for the Board's consideration. The Board gives less weight to the appellant's comparable #1 which, based on sale price and price per square foot, appears to be an outlier relative to the other comparables in the record. The Board also gives reduced weight to the board of review's comparables #2 and #3 as comparable #2 sold in 2017,

more than 20 months prior to the January 1, 2019 assessment date at issue and comparable #3 has a substantially smaller dwelling size when compared to the subject.

The Board finds the best evidence of market value to be the remaining comparables which are more similar to the subject in location, age, dwelling size and features. These comparables sold from August 2018 to May 2019 for prices ranging from \$98,000 to \$195,000 or from \$47.23 to \$96.73 per square foot of living area, including land. The subject's assessment reflects a market value of \$153,252 or \$62.83 per square foot of living area, including land, which falls within the range established by the best comparable sales in this record. 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: January 18, 2022



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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COUNTY

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