



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

APPELLANT: T. Ramseyer & P. Koziol Austin Holdings
DOCKET NO.: 19-02465.001-R-1
PARCEL NO.: 06-13-308-004

The parties of record before the Property Tax Appeal Board are T. Ramseyer & P. Koziol Austin Holdings, 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: \$13,166
IMPR.: \$64,543
TOTAL: \$77,709

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 two buildings located on a single parcel. Building #1 is a two-story, two-unit apartment building of brick exterior construction with 2,204 square feet of living area. The building was constructed in 1900 and features an unfinished basement and an 810 square foot garage. Building #2 is a one-story one-unit building of brick and frame exterior construction that has 831 square feet of living area. The building was constructed in 1845 and features an unfinished basement. The property has a 10,019 square foot site and is located in Elgin, Elgin Township, Kane County.¹

¹ Subject property details were obtained from the property record cards submitted by the board of review. The parties differ as to the subject's living area, as the appellant's grid analysis includes only one of the subject's buildings. The Board finds the subject property contains a combined 3,035 total square feet of living area which includes both of the subject buildings.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on April 1, 2017 for a price of \$120,000. The appellant completed Section IV – Recent Sale Data disclosing the transaction was not between family members or related corporations, that the subject was for sale by owner and was advertised with a sign, on the internet and/or an auction. The appellant submitted a copy of the Receipt Upon Sale from the Kane County Circuit Court where the Sheriff of Kane County acknowledged receipt of the “full bid amount.” The appellant also submitted a copy of the PTAX-203 Illinois Real Estate Transfer Declaration indicating a Sheriff’s deed and that the sale had been advertised.

In further support of the appellant’s overvaluation claim, the appellant submitted information on five comparable sales located within 0.94 of a mile from the subject property. The comparables are improved with two-story or part one-story/part two-story two-unit apartment buildings that range in size from 2,018 to 2,328 square feet of living area. The buildings were built from 1885 to 1903. Each comparable has a basement and a garage ranging in size from 216 to 708 square feet of building area. One comparable has central air conditioning. The properties sold from February 2018 to September 2019 for prices ranging from \$95,501 to \$202,000 or from \$44.03 to \$88.89 per square foot of living area. Based on this evidence, the appellant requested the subject’s assessment be reduced 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 \$77,709 which reflects a market value of \$233,360 or \$76.89 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 property record cards on the subject’s buildings along with a grid analysis with information on four comparable sales located within 0.70 of a mile from the subject property. The comparables have sites that range in size from 5,589 to 20,160 square feet of land area and are improved with one or two dwellings that are one-story, two-story or part one-story/part two-story in design. The improvements range in size from a combined total of 2,250 to 2,944 square feet of living area and were built in 1894 or 1900. Each comparable building has a basement and two comparables have a garage with either 440 or 484 square feet of building area. Comparables #1 and #3 represent similar functionality with two buildings on one parcel while comparables #2 and #4 have a single three-unit apartment building located on one parcel. The properties sold from April 2018 to July 2019 for prices ranging from \$193,000 to \$250,000 or from \$65.56 to \$111.11 per square foot of living area, land included.

The board of review, through Elgin Township, critiqued the appellant’s comparables noting comparable #1 to be a handyman’s special and comparables #2 and #3 to be foreclosures. The board of review indicated that the appellant’s comparables #4 and #5 were acceptable comparable properties. It also noted that the subject’s assessment had been reduced by the board of review at the 2017 hearing and that the only change to the subject’s assessment in 2018 and 2019 was application of the multiplier. Based on this evidence, the board of review requested the subject’s assessment be confirmed.

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 Board finds the best evidence of market value in the record to be comparable sales #1 and #3 submitted by the board of review. These comparables were similar to the subject in functionality with two improvements on one parcel and are also similar to the subject in location, age, living area and some features. These two properties sold in October and April 2018 for prices of \$250,000 and \$193,000 or for \$88.65 and \$65.56 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$233,360 or \$76.89 per square foot of living area, including land, which is bracketed by the two best comparable sales in this record. The Board gave little weight to the subject's sale since the sale occurred 17 months prior to the January 1, 2019 assessment date. The Board also gave reduced weight to the appellant's comparable sales due to differences in building size when compared to the subject. Based on this record the Board finds the subject's assessment is reflective of market value and 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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APPELLANT

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