



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

APPELLANT: Nazneen Zahid
DOCKET NO.: 20-02916.001-R-1
PARCEL NO.: 15-19-405-010

The parties of record before the Property Tax Appeal Board are Nazneen Zahid, 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: \$14,773
IMPR.: \$73,525
TOTAL: \$88,298

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 2020 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 1-story part 2-story dwelling¹ of frame exterior construction with 1,938 square feet of living area. The dwelling was constructed in 1998 and is approximately 22 years old. Features of the home include a full basement, central air conditioning, a fireplace, and a 2-car garage. The property has a 11,700 square foot, or 0.27 acre, site and is located in Aurora, Aurora Township, Kane County.

The appellant contends both overvaluation and assessment inequity as the basis of the appeal. In support of the overvaluation argument, the appellant completed Section IV – Recent Sale Data of the appeal petition disclosing the appellant purchased the subject property from Allen and Rogena Whitaker on May 4, 2018 for \$245,000, which was not a sale between related parties.

¹ The parties differ regarding the subject's design. The Board finds the best evidence of the subject's design is found in the subject's property record card presented by the board of review, which contains a sketch of the subject dwelling and was not refuted by the appellant in written rebuttal.

The appellant further disclosed the subject property was advertised for sale with a realtor for 2 months by the Multiple Listing Service and various web sites, and was not sold due to foreclosure or using a contract for deed.

The appellant submitted an appraisal prepared by Julia L. Kari, a certified residential real estate appraiser, with a value conclusion of \$245,000 as of April 20, 2018. The appraisal was prepared for the purpose of a mortgage finance transaction.

Under the sales comparison approach, the appraiser examined four comparable sales and one listing. These four comparables sold from August 2017 to April 2018 for prices ranging from \$230,000 to \$310,000 or from \$105.00 to \$131.43 per square foot of living area, including land. One comparable was listed for sale at \$246,900 or \$124.45 per square foot of living area, including land. After making adjustments to these comparables for sale or financing concessions and for differences from the subject, the appraiser calculated adjusted prices ranging from \$240,900 to \$256,500. Based on the foregoing, the appraiser opined a market value of \$245,000 as of April 20, 2018.

The appellant presented information regarding six comparables, together with listing sheets for these properties. The comparables are located from 0.10 to 0.60 of a mile from the subject property and one comparable is located within the same assessment neighborhood code as the subject. The parcels range in size from 10,454 to 15,681 square feet of land area and are improved with 2-sotry homes of frame exterior construction ranging in size from 1,998 to 2,690 square feet of living area. The homes range in age from 16 to 53 years old. Each home has a basement, three of which have finished area, central air conditioning, one or two fireplaces, and a 2-car or a 3-car garage. The comparables have land assessments ranging from \$11,140 to \$15,519 or from \$0.91 to \$1.24 per square foot of land area and improvement assessments ranging from \$60,518 to \$84,304 or from \$30.25 to \$38.74 per square foot of living area. The comparables sold from August 2018 to December 2019 for prices ranging from \$215,000 to \$299,500 or from \$107.50 to \$137.64 per square foot of living area, land included.

The appellant also submitted a brief asserting that the subject property does not have “any modern upgrades” other than painting and roof repairs in 2020.

Based on this evidence the appellant requested reductions in the subject’s land assessment to \$11,762 or \$1.00 per square foot of land area, improvement assessment to \$63,896 or \$32.97 per square foot of living area, and total assessment to \$75,659 which would reflect a market value of \$227,000 or \$117.13 per square foot of living area, land included, when applying 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 \$95,023. The subject's assessment reflects a market value of \$285,183 or \$147.15 per square foot of living area, land included, when using the 2020 three year average median level of assessment for Kane County of 33.32% as determined by the Illinois Department of Revenue. The subject has a land assessment of \$14,773 or \$1.26 per

square foot of land area and an improvement assessment of \$80,250 or \$41.41 per square foot of living area.²

In support of its contention of the correct assessment the board of review submitted information on three comparable sales, together with a map depicting the locations of these comparables in relation to the subject. Comparable #1 is the same property as the appellant's comparable #2. The comparables are located from 0.06 to 0.15 of a mile from the subject. The parcels range in size from approximately 11,050 to 12,393 square feet of land area and are improved with 2-story or part 1-story and part 2-story homes of frame or frame and masonry exterior construction ranging in size from 2,168 to 2,458 square feet of living area. The dwellings were built from 1995 to 2002. Each home has a basement, central air conditioning, a fireplace, and a garage ranging in size from 298 to 420 square feet of building area. The comparables sold from September 2017 to June 2019 for prices ranging from \$280,000 to \$310,000 or from \$124.50 to \$130.07 per square foot of living area, including land. Each comparable has a land assessment of \$14,773 and an improvement assessment ranging from \$71,975 to \$96,502 or from \$33.20 to \$42.52 per square foot of living area.

The board of review submitted information on three equity comparables, together with a map depicting the locations of these comparables in relation to the subject. The comparables are located from 0.07 to 0.13 of a mile from the subject property. The parcels range in size from approximately 10,454 to 13,068 square feet, or from 0.24 to 0.30 of an acre, of land area. The comparables are improved with 2-story or part 1-story part 2-story homes of frame exterior construction with 1,984 square feet of living area. The dwellings were built in 2000. Each home has a basement, central air conditioning, and a garage. One home has a fireplace. The comparables have land assessments of \$14,773 or from \$1.13 to \$1.41 per square foot of land area and improvement assessments ranging from \$79,905 to \$82,521 or \$40.27 to \$41.59 per square foot of living area.

The board of review presented an additional grid analysis of comparable sales and an additional grid analysis of equity comparables, purported to be the appellant's comparables, but only one of such comparables was presented by the appellant herein. Thus, the Board will not further consider these comparables.

Based on this evidence the board of review requested confirmation of the subject's assessment.

In written rebuttal, the appellant submitted a brief contending the board of review's comparables are not similar to the subject in dwelling size, lot size, or other features and/or sold less proximate in time to the assessment date.

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).

² The Board notes that the appellant's grid analysis does not contain the correct 2020 assessment information for the subject property, which is found in the board of review's notice of findings presented by the appellant.

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 contains an appraisal, information regarding a May 2018 sale of the subject property and six comparable sales presented by the appellant and three comparable sales presented by the board of review for the Board's consideration. The Board gives less weight to the appellant's appraisal as it relies on sales occurring from August 2017 to April 2018, which are less proximate in time to the assessment date than other sales in this record, and consequently, the Board will instead consider the raw sales data presented by the parties. The Board gives less weight to the May 2018 sale of the subject property, the four appraisal sales, the appellant's comparable #1, and the board of review's comparable #3, which sold less proximate in time to the January 1, 2020 assessment than other sales in this record. The Board gives less weight to the appraisal listing as this comparable is not a sale indicative of market value as of the assessment date. The Board also gives less weight to the appellant's comparables #3, #4, #5 and #6, due to significant differences from the subject in dwelling size, age, and/or basement finish.

The Board finds the best evidence of market value to be the appellant's comparable #2/board of review's comparable #2 and the board of review's comparable #1, which are relatively similar to the subject in dwelling size, lot size, age, location, and features. These most similar comparables sold in April and June 2019 for prices of \$280,000 and \$282,000 or \$124.50 and \$130.07 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$285,183 or \$147.15 per square foot of living area, including land, which is above the best comparable sales in this record. Based on this evidence and after considering appropriate adjustments to the best comparables for differences when compared to the subject, the Board finds a reduction in the subject's assessment is justified.

The appellant also contends assessment inequity as the basis of the appeal. 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).

With regard to land assessment inequity, the record contains a total of nine equity comparables for the Board's consideration, which are relatively similar to the subject lot in size and location. These comparables have land assessments ranging from \$11,140 to \$15,519 or from \$0.91 to \$1.41 per square foot of land area. The subject's land assessment of \$14,773 or \$1.26 per square foot of land area falls within the range established by the comparables in this record. Additionally, the comparables provided by the board of review each has a land assessment of \$14,773, equivalent to the subject's land assessment, indicating that land may be assessed on a site basis. Based on this record and after considering appropriate adjustments to the comparables for differences from the subject, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's land was inequitably assessed and no reduction is warranted.

With regard to improvement assessment inequity, the record contains a total of nine equity comparables for the Board's consideration. The Board gives less weight to the appellant's comparables #1, #3, #4, #5 and #6, due to significant differences from the subject in dwelling size, age, and/or basement finish.

The Board finds the best evidence of assessment equity to be the appellant's comparable #2 and the board of review's comparables, which are similar to the subject in dwelling size, age, location, and most features. These comparables have improvement assessments that range from \$79,378 to \$82,521 or from \$36.61 to \$41.59 per square foot of living area. The subject's improvement assessment as reduced herein of \$73,525 or \$37.94 per square foot of living area falls below the range established by the best comparables in this record in terms of total improvement assessment but within the range on a per square foot basis. Based on this record and after considering appropriate adjustments to the comparables for differences from the subject, the Board finds the subject's assessment after being adjusted based on market value herein is equitable and no further reduction is warranted.

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 23, 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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