



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

APPELLANT: Mark Lowe
DOCKET NO.: 20-03211.001-R-1
PARCEL NO.: 02-02-481-010

The parties of record before the Property Tax Appeal Board are Mark Lowe, the appellant; and the Kendall 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 **Kendall** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$10,701
IMPR.: \$80,995
TOTAL: \$91,696

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Kendall 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 two-story dwelling of frame exterior construction with 2,952 square feet of living area. The dwelling was constructed in 2003 and is 17 years old. Features of the home include an unfinished basement, central air conditioning and a 506 square foot garage. The property has an approximately 8,394 square foot site and is located in Montgomery, Bristol Township, Kendall County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on January 11, 2018 for a price of \$235,000. The appellant completed Section IV – Recent Sale Data disclosing the transaction was not between family members or related corporations, that the subject was sold with help from a Realtor and was advertised in the Multiple Listing Service (MLS) for a period of approximately three months. In support of the subject's sale, the appellant submitted copies of the Warranty Deed, the title insurance and the web edition of the subject's Property Record

Card from the Bristol Township Assessor's website. The Bristol Township Assessor reports the subject sold on December 1, 2017 for a sale price of \$235,000.

In further support of the appellant's overvaluation argument, the appellant submitted information on three comparable sales located less than one mile from the subject property. The comparables have sites that range in size from approximately 8,399 to 9,791 square feet of land area and are improved with two-story dwellings that range in size from 2,732 to 2,927 square feet of living area. The homes were built from 2002 to 2006 and range in age from 14 to 18 years old. Each comparable has a basement, one with finished area, central air conditioning and a garage ranging in size from 400 to 528 square feet of building area. Two comparables each have one fireplace. The properties sold from March 2017 to June 2019 for prices ranging from \$240,000 to \$250,000 or from \$85.41 to \$90.78 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$83,666 which reflects a market value of \$251,023 or \$85.03 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 \$91,696 which reflects a market value of \$276,609 or \$93.70 per square foot of living area, land included, when using the 2020 three-year average median level of assessment for Kendall County of 33.15% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted a map depicting the proximity of the subject and its comparable sales, a grid analysis, property record cards and the PTAX-203 Illinois Real Estate Transfer Declarations on four comparable sales. The properties are located within 0.11 of a mile from the subject property. The comparables have sites that range in size from 8,396 to 10,074 square feet of land area and are improved with two-story dwellings that range in size from 2,805 to 2,972 square feet of living area. The homes are either 17 or 18 years old. Each comparable has an unfinished basement, central air conditioning and a 506 square foot garage. The properties sold from March 2019 to August 2020 for prices ranging from \$279,000 to \$296,900 or from \$94.19 to \$105.85 per square foot of living area, land included.

The board of review also submitted comments arguing the sale of the subject property and the appellant's comparables #2 and #3 sold in 2017, which would not be "relevant to a January 1, 2020 valuation." 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 the appellant's comparable #1 and the board of review comparables. These properties are similar to the subject in location, age, design, dwelling size and other features and sold proximate in time to the January 1, 2020 assessment date at issue. The comparables sold from March 2019 to August 2020 for prices ranging from \$240,000 to \$296,900 or from \$86.33 to \$105.85 per square foot of living area, including land. The subject's assessment reflects a market value of \$276,609 or \$93.70 per square foot of living area, including land, which falls within the range established by the best comparable sales in this record. The Board gives little weight to the subject's sale due to the fact the sale occurred approximately 24 months prior to the January 1, 2020 assessment date at issue in this appeal. Similarly, the Board gives less weight to the appellant's comparables #2 and #3 which sold in 2017, less proximate to the assessment date at issue than other comparables in the record. Based on this record and after considering appropriate adjustments to the comparables for differences from the subject, 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: July 19, 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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