



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

APPELLANT: Thomas Passaro
DOCKET NO.: 20-04099.001-R-1
PARCEL NO.: 15-13-236-006

The parties of record before the Property Tax Appeal Board are Thomas Passaro, 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 **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: \$21,528
IMPR.: \$97,391
TOTAL: \$118,919

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 one-story dwelling of frame and brick construction with 1,927 square feet of living area. The dwelling was constructed in 2011. Features of the home include an unfinished basement, central air conditioning, a fireplace and an attached 440 square foot garage. The property has a 6,300 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 a grid analysis containing six comparable sales that are located within 3 blocks from the subject. The comparables have sites ranging in size from 6,098 to 10,018 square feet of land area that are improved with one-story dwellings containing from 1,807 to 2,133 square feet of living area. The dwellings were built from 2007 to 2013. The comparables have basements, three of which have finished area, central air conditioning and a garage ranging in size from 420 to 672 square foot of building area. The comparables each have a fireplace. The

comparables sold from September 2018 to June 2019 for prices ranging from \$307,000 to \$365,000 or from \$159.47 to \$192.14 per square foot of living area, including land. The appellant's submission included a brief arguing the Aurora Township Assessor errs when determining the fair market values for each parcel.

Based on this evidence the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$118,919. The subject's assessment reflects a market value of \$356,900 or \$185.21 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.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales that are located from .03 to .50 of a mile from the subject. The comparables are improved with one-story dwellings containing from 1,883 to 2,133 square feet of living area. The dwellings were built from 2005 to 2013. Two of the comparables have basements and one comparable has a crawl-space foundation. Each comparable has central air conditioning and an attached 420 or 440 square foot garage. One comparable has a fireplace. The comparables sold from July 2017 to October 2018 for prices ranging from \$370,000 to \$390,000 or from \$181.43 to \$196.49 per square foot of living area, including land. The board of review's submission included an assessment equity grid analysis, however, this evidence is not responsive to the overvaluation argument brought by the appellant.

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

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 a total of seven comparable sales for the Board's consideration. The Board gives less weight to the appellant's comparables #1, #2 and #4 due to their sale dates occurring greater than 13 months prior to the January 1, 2020 assessment date at issue. Likewise, the Board also gives less weight to the board of review's comparables due to their sale dates occurring greater than 14 months prior to the January 1, 2020 assessment date at issue. In addition, the board of review's comparable #1 has a dissimilar crawl-space foundation, unlike the subject. The Board finds the appellant's remaining comparables have varying degrees of similarity to the subject, however, each has a slightly older dwelling than the subject and two have finished basement area, unlike the subject. Nevertheless, the best comparables sold from March to June 2019 for prices ranging from \$307,000 to \$362,000 or from \$169.89 to \$192.14 per square foot of living area, including land. The subject's assessment reflects a market value of \$356,900 or \$185.21 per square foot of living area, including land, which falls within the range

established by the best comparables in the record. After considering adjustments to the best comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported. Based on this record 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:

September 20, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Thomas Passaro
1145 Drury Lane
Aurora, IL 60502

COUNTY

Kane County Board of Review
Kane County Government Center
719 Batavia Ave., Bldg. C, 3rd Fl.
Geneva, IL 60134