



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

APPELLANT: Dilip & Bhavita Nakarani
DOCKET NO.: 20-05592.001-R-1
PARCEL NO.: 09-24-427-012

The parties of record before the Property Tax Appeal Board are Dilip & Bhavita Nakarani, the appellants, 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: \$37,202
IMPR.: \$117,426
TOTAL: \$154,628

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 2-story dwelling of frame and brick exterior construction with 2,845 square feet of living area. The dwelling was constructed in 2002. Features of the home includes a basement with finished area, central air conditioning, a fireplace and a 704 square foot garage. The property has a 12,066¹ square foot site and is located in St. Charles, St. Charles Township, Kane County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on six comparable sales located within 0.22 of a mile from the subject property. The comparables are improved with 2-story dwellings ranging in size from 2,697 to 3,004 square feet of living area that were built from 1997 to 1999. Each comparable has a basement, central air conditioning, one or two fireplaces and a garage ranging in size from 474

¹ The Board finds the best evidence of the subject site size and finish basement area was found in the grid analysis provided by the board of review, which was not refuted by the appellant.

to 716 square feet of building area. The comparables sold from June 2019 to September 2020 for prices ranging from \$365,000 to \$440,000 or from \$135.34 to \$156.75 per square foot of living area, including land. 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 \$154,628. The subject's assessment reflects a market value of \$464,070 or \$163.12 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 seven comparable sales, together with a grid analysis of the appellant's comparables², located within 0.19 of a mile from the subject property. The comparables have sites ranging from 9,931 to 22,738 square feet of land area. The comparables are improved with 2-story dwellings of brick and frame or Dryvit and frame exterior construction ranging in size from 2,560 to 3,039 square feet of living area. The dwellings were built from 1997 to 1999. Each comparable has a basement with finished area, central air conditioning, one fireplace and a garage ranging in size from 453 to 720 square feet of building area. The comparables sold from May 2017 to November 2020 for prices ranging from \$429,000 or \$533,000 or from \$156.30 to \$184.09 per square foot of living area, including land.

The board of review submitted a brief stating that the subject property was purchased in May 2017 for \$460,000 and the sale is within the current three-year time frame and was used to develop the 2020 market value.

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

In written rebuttal, the appellant's contended the board of review's comparables #1 and #3 are smaller homes than the subject dwelling and the board of review's comparable #2 and #5 sold in 2017 and 2018, more remote to the 2020 assessment date.

Conclusion of Law

The appellants contend 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.

² The board of review submitted a grid analysis on the appellant's comparables, disclosing that the comparables have sites that range in size from 9,931 to 15,681 square feet of land area. Comparables #1, #2 #3 and #6 have basements with finished areas, one of walk out design. Comparable #6 has an inground swimming pool of 496 square feet.

The record contains thirteen suggested comparable sales for the Board's consideration. The Board has given less weight to the appellant's comparables #4, #5 and #6 due to their lack of finished basement areas and/or having an inground swimming pool, an amenity that the subject lacks. The Board has given less weight to the board of review's comparable sales #2, #3 and #5 for their sales occurring in 2017 and 2018, less proximate in time to the January 1, 2020 assessment date.

The Board finds the best evidence of market value to be the appellant's comparables #1, #2 and #3 and the board of review comparables #1, #4, #6 and #7 which sold more proximate in time to the assessment date at issue and are more similar to the subject in design, dwelling size, age and some features. The comparables sold from May 2019 to November 2020 for prices ranging from \$400,000 to \$533,000 or from \$143.26 to \$177.37 per square foot of living area, including land. The subject's assessment reflects a market value of \$464,070 or \$163.12 per square foot of living area, including land, which falls within the range established by the best comparable sales in the record. Based on this record and after considering adjustments to the best comparables for differences when compared to the subject, the Board finds no reduction in the subject's assessment 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:

April 18, 2023



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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