



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

APPELLANT: Chad Morris
DOCKET NO.: 20-05828.001-R-1
PARCEL NO.: 16-05-21-202-021-0000

The parties of record before the Property Tax Appeal Board are Chad Morris, the appellant, by attorney Joanne Elliott, of Elliott & Associates, P.C. in Des Plaines, and the Will 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 **Will County Board of Review** is warranted. The correct assessed valuation of the property is:

LAND: \$ 40,290
IMPR.: \$140,742
TOTAL: \$181,032

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Will 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 brick and stone exterior construction with 3,620 square feet of living area. The dwelling was constructed in 2006 and is approximately 14 years old. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a three-car garage containing 778 square feet of building area. The property has an approximately 18,287 square foot site and is located in Homer Glen, Homer Township, Will County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal estimating the subject property had a market value of \$525,000 as of January 1, 2020. The appraisal was prepared by DaShawn Weaver-Drew, a Certified Residential Real Estate Appraiser. The intended use of the appraisal was for an appeal of the assessment of the subject property based on fee simple property rights. The appraiser noted the

subject property was in good condition and had no obvious deferred maintenance with support from 19 interior photographs.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value. Under the sales comparison approach to value, the appraiser chose four comparable sales located from .64 to .77 of a mile from the subject property. The comparables were described as Contemporary dwellings that range in size from 2,872 to 4,008 square feet of living area. The homes range in age from 13 to 15 years old. Each comparable has a basement with two having finished area. The comparables each have central air conditioning, a fireplace and a three-car garage. The properties sold from February 2018 to October 2019 for prices ranging from \$505,000 to \$599,000 or from \$142.62 to \$177.23 per square foot of living area, including land. As set forth in the Supplemental Addendum, the appraiser adjusted the comparables for quality of construction, bathroom count, gross living area, finished basement area and/or porch/patio/deck differences to arrive at adjusted prices ranging from \$515,000 to \$544,000. As a result, the appraiser arrived at an estimated market value for the subject of \$525,000 or \$145.03 per square foot of living area, including land, as of January 1, 2020.

Based on this evidence, the appellant requested a reduction in the subject's assessment to approximately reflect the appraised value at 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 \$200,000. The subject's assessment reflects a market value of \$599,341 or \$165.56 per square foot of living area, land included, when using the 2020 three year average median level of assessment for Will County of 33.37% as determined by the Illinois Department of Revenue.

In response to the appeal, the board of review submitted a letter from the Homer Township Assessor along with a grid analysis of the appraisal sale comparables which, but for finished basement area reported by the appraiser, sets forth identical information to the appraiser's comparable sales grid data along with additional supporting documentation. The assessor critiqued the comparables chosen by the appraiser contending that three appraisal sales "sold further away from the January 1st, 2020 valuation date." In addition, the assessor provided a 2019 listing and an undated Zillow listing of the subject property. The Multiple Listing Service (MLS) document depicts a listing date of October 29, 2019 with an original asking price of \$695,000 and a list price of \$650,000 with 79 days on the market. The Zillow printout depicts a price of \$599,900 and 80 days on Zillow with a remark "home has a pending offer." A map depicting both parties' comparables was also provided to depict the locations in relation to the subject although one party is depicted as presenting six numbered comparables and the other as having seven numbered comparables.¹

¹ Closer examination of the map reveals that three properties are presented with a single numerical identifier, three of the properties are presented with two numerical identifiers and one property is presented with four numerical identifiers. Therefore, other than the map depicting that none of the comparables are within just a couple of blocks of the subject, nothing more can be determined from the map.

In support of its contention of the correct assessment, the board of review through the township assessor, submitted a grid analysis and property record cards of the subject and four comparable sales, where board of review comparable #3 is the same property as appraisal sale #3. None of the comparables are located within the same assessment neighborhood code as is assigned to the subject. The comparables are located from .64 to .99 of a mile from the subject property. The comparables have sites that range in size from 15,191 to 21,216 square feet of land area. The comparables are improved with two-story dwellings of brick and stone, brick and cedar siding or brick, siding and stone exterior construction ranging in size from 3,525 to 4,573 square feet of living area. The dwellings were built from 2006 to 2018. Each comparable has an unfinished basement, central air conditioning, a fireplace and a garage ranging in size from 672 to 952 square feet of building area. Comparables #1 and #2 each have an inground swimming pool. The comparables sold from November 2018 to October 2019 for prices ranging from \$573,000 to \$675,000 or from \$142.96 to \$170.21 per square foot of living area, including land.

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

In rebuttal to the board of review evidence, appellant's counsel argued that the board of review comparable properties reflect raw and unadjusted sales as compared to the appellant's appraisal with adjustments. As to the October 29, 2019 listing of the subject property, a copy of the cancellation of the listing on October 13, 2020 was submitted and highlighted that prior to the cancellation, the asking price had been reduced to \$599,000. Furthermore, counsel acknowledged that the subject was again listed on the MLS in February 2021 with an asking price of \$599,000. The sale occurred on May 7, 2021 for \$560,000 in an arm's length transaction (MLS and recorder website printout submitted). In light of the 2021 sale of the subject, the appellant asserts that the 2020 market value for the subject property should not exceed \$560,000.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant submitted an appraisal of the subject property and the board of review submitted criticisms of that appraisal, data indicating the subject property had been listed for sale in 2019 along with four comparable sales, one of which was contained in the appellant's appraisal report. The Board has given reduced weight to board of review comparable sales #1 and #2 due to their differences in dwelling size when compared to the subject and their inground pool amenities which are not a feature of the subject. The Board has given reduced weight to board of review comparable #4 as the property is the least proximate in location to the subject and is only 4 years old as compared to the subject that is 14 years old.

The Board finds the best evidence of market value in the record to be the appraisal submitted by the appellant along with listing of the subject raised by board of review which was acknowledged by the appellant to have resulted in the sale of the subject in May 2021 for \$560,000 in an arm's length transaction. The appellant submitted an appraisal of the subject property with a final value conclusion of \$525,000 as of January 1, 2020 and the appellant acknowledged the subject sold in May 2021, 17 months after the lien date at issue, for \$560,000. The Property Tax Appeal Board finds these two market value conclusions are both somewhat proximate in time to the assessment date at issue of January 1, 2020. Giving equal weight to the 2021 sale price and the 2020 appraisal conclusion, the Property Tax Appeal Board finds that the subject property has a market value as of January 1, 2020 of \$542,500 or \$149.86 per square foot of living area including land.

The subject's assessment reflects a market value of \$599,341 or \$165.56 per square foot of living area, including land, which is above the appraised value and above the subject's arm's length sale price that occurred 17 months after the lien date in May 2021. Therefore, the Board finds the subject property had a market value of \$542,500 as of the assessment date at issue. Since market value has been established the 2020 three year average median level of assessments for Will County of 33.37% as determined by the Illinois Department of Revenue shall apply. (86 Ill.Admin.Code §1910.50(c)(1)).

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

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

APPELLANT

Chad Morris, by attorney:
Joanne Elliott
Elliott & Associates, P.C.
1430 Lee Street
Des Plaines, IL 60018

COUNTY

Will County Board of Review
Will County Office Building
302 N. Chicago Street
Joliet, IL 60432