



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

APPELLANT: Rasheena ONeal
DOCKET NO.: 21-06158.001-R-1
PARCEL NO.: 23-16-07-404-001-0000

The parties of record before the Property Tax Appeal Board are Rasheena ONeal, the appellant, by Jessica Hill-Magiera, Attorney at Law in Lake Zurich; 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: \$17,118
IMPR.: \$59,231
TOTAL: \$76,349

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 2021 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 and brick exterior construction with 2,362 square feet of living area that was constructed in 1979. Features of the home include a basement, central air conditioning, one fireplace and a 791 square foot garage. The property has an approximately 23,894 square foot site and is located in Crete, Crete Township, Will 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 August 27, 2020 for a price of \$229,000. The appellant completed Section IV – Recent Sale Data disclosing the transaction was not between family members or related corporations and that the property was advertised in the Multiple Listing Service (MLS). The appellant submitted the subject's MLS sheet which had a marketing period of 266 days. The settlement statement submitted by the appellant reported commissions were paid to real estate agents. The appellant also submitted a copy of the PTAX-

203 Real Estate Transfer Declaration associated with the purchase of the subject property which reiterated the sale price and sale date.

The appellant's attorney submitted a written brief with additional arguments that subject's recent sale supports the appellant's overvaluation argument. Based on this evidence, the appellant requested the subject's assessment be reduced to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$81,439 which reflects a market value of \$244,268 or \$103.42 per square foot of living area, land included, when using the 2021 three year average median level of assessment for Will County of 33.34% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review, through the Crete Township Assessor, submitted information on four comparables located within one mile of the subject property. The comparables have sites that range in size from 13,882 to 30,166 square feet of land area and are improved with two-story dwellings of brick, stucco or brick and frame exterior construction ranging in size from 2,305 to 2,880 square feet of living area. The homes were built from 1977 to 1996. Each comparable has a basement, with two having finished area. Each dwelling has central air conditioning, one fireplace and a garage ranging in size from 462 to 759 square feet of building area. The properties sold from February to September 2020 for prices ranging from \$204,700 to \$295,900 or from \$88.54 to \$115.95 per square foot of living area, land included.

The board of review also submitted a memorandum from the Crete Township Assessor contending "sales in Crete Township have been steadily increasing," that the township assessor offered a reduction which reflected the subject's August 2020 purchase price plus application of the 2021 township equalization factor and opined various adjustments to the board of review comparables without documentation. In support of the stipulation offer, the board of review submitted a copy of the unsigned stipulation offer from the Will County Board of Review along with the accompanying email message to the appellant's attorney. Based on this evidence, the board of review requested the subject's assessment be confirmed.

In rebuttal, the appellant's attorney noted the board of review did not dispute the arm's length nature of the subject's August 2020 sale transaction.

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 Board finds the best evidence of market value to be the purchase of the subject property in August 2020 for a price of \$229,000. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant completed Section IV - Recent

Sale Data of the appeal disclosing the parties to the transaction were not related, the property was sold using a Realtor and had been advertised in the Multiple Listing Service. The appellant submitted a copy of the MLS sheet indicating the subject had been actively marketed for a period of 266 days. In further support of the transaction the appellant submitted a copy of the settlement statement which disclosed that commissions were paid to real estate professionals. The Board finds the board of review did not present any evidence challenging the arm's length nature of the transaction and that its comparable sales evidence does not overcome the recent sale evidence of the subject property. The Board finds the purchase price is below the market value reflected by the assessment. Based on this record the Board finds the subject property had a market value of \$229,000 as of January 1, 2021. Since market value has been determined the 2021 three year average median level of assessment for Will County of 33.34% shall apply. 86 Ill.Admin.Code §1910.50(c)(1).

Furthermore, the board of review comparables #1, #2 and #3 are substantially newer in age when compared to the subject property and board of review comparable #4 which is more similar to the subject in age supports a reduced assessment for the subject property.

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

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: November 21, 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

Rasheena ONeal, by attorney:
Jessica Hill-Magiera
Attorney at Law
790 Harvest Drive
Lake Zurich, IL 60047

COUNTY

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