



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

APPELLANT: Lyubomir Alexandrov
DOCKET NO.: 21-07862.001-R-1
PARCEL NO.: 15-12-127-298

The parties of record before the Property Tax Appeal Board are Lyubomir Alexandrov, 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 **A Reduction** 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: \$2,046
IMPR.: \$19,477
TOTAL: \$21,523

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 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

A consolidated hearing was held on the subject property for the tax years 2021 and 2022 under Docket No. 21-07862.001-R-1 and 22-03159.001-R-1. Individual decisions will be rendered for each year based on the applicable evidence presented.

The parties appeared before the Property Tax Appeal Board for a hearing at the Will County Office Building in Joliet pursuant to prior written notice. Appearing on behalf of the appellant was Lyubomir Alexandrov and appearing on behalf of the Kane County Board of Review was Michelle Abell.

The subject property consists of a one-story residential condominium unit in a three-story masonry building that was constructed in 1972. The unit contains 660 square feet of living area and features central air conditioning. The property 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 cover letter that included photographs of the subject's bedroom, kitchen, and hallway, a copy of the 2020 decision from Property Tax Appeal Board for the subject property, and information on three comparable sales of condominium units located within the same condominium complex as the subject. In the letter and at the hearing, the appellant argued that the subject has not been updated in the last 30 years. It has original kitchen cabinets, laminate countertops and the carpet is old throughout the unit.

The comparable sales consist of units that have either 550 or 786 square feet of living area. Each unit has central air conditioning and two units each have one fireplace. These comparables sold from September 2019 to November 2020 for prices ranging from \$49,000 to \$65,000 or from \$71.25 to \$89.09 per square foot of living area, including land.

Based on this evidence, the appellant requested a reduced total assessment of \$17,822 which would reflect a market value of \$53,471 or \$81.02 per square foot of living area, including land, 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 \$24,395. The subject's assessment reflects a market value of \$73,192 or \$110.90 per square foot of living area, land included, when using the 2021 three year average median level of assessment for Kane County of 33.33% as determined by the Illinois Department of Revenue.

In response to the appellant's evidence, the board of review submitted a memorandum arguing the subject is fairly assessed. The board of review argued the subject is in average condition and subject's white trim and doors are most likely not original. At hearing and in written rebuttal, the board of review noted sale #1 was a foreclosure sale and the MLS photos show this unit was missing flooring in the living room and sold with no appliances. The appellant testified that he was not aware of this but argued appliances are personal property. As to sale #2, it sold in September 2019 and looked to be in similar condition, however, values have risen since 2019. The board of review noted appellant's comparable sale #3, 1855 Tall Oaks Unit 1205 could not be found in the MLS or google search. However, the appeal form shows PIN number 15-12-127-280 and the assessor records for this a parcel indicate an address of 1855 Tall Oaks Drive Unit 1305 and there is sale on the assessor's website in September 2020 for \$49,500. This property was not found on the MLS, and it sold well below any of the other sales in the record.¹

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales of one-story condominium units located on same street, two of which are in the same condominium complex/subdivision (Linden Woods) as the subject. The comparables range in size from 550 to 650 square feet of living area. Each comparable has central air conditioning and two comparables each have a fireplace. The comparables sold from August 2019 to October 2021 for prices ranging from \$76,500 to \$87,000 or from \$117.69 to

¹At the hearing, the Administrative Law Judge requested the parties provide a copy of the PTAX-203 Real Estate Transfer declaration for appellant's comparable #3 (parcel 15-12-127-280). The transfer declaration disclosed this property has an address of 1855 Tall Oaks Drive Unit 1305 and the property was advertised for sale.

\$145.45 per square foot of living area, including land. The board of review also submitted Multiple Listing Service (MLS) sheets associated with each sale. The MLS remarks noted that each property has been updated with new flooring, newer appliances and/or has been freshly painted.

Based on this evidence and argument, the board of review requested confirmation of the subject's estimated market value as reflected by its assessment.

In written rebuttal, the appellant reiterated that the subject has not been updated in the last 30 years and the white thermofoil kitchen cabinets (popular in this complex) were in style in the early 90's. The appellant asserted the board of review comparables are at the high end of the spectrum with some having updated baths and flooring.

At hearing the appellant stated the board of review comparables #1 and #4 are each located on the first floor with a private entrance unlike the subject. Comparable #1 has a large deck, new vinyl plank flooring, newer appliances, and freshly painted interior; comparable #2 has new flooring and freshly painted interior; comparable #3 has newer laminate flooring and three-year-old appliances; and comparable #4 has a fireplace, new furnace in 2018 and newer flooring. The appellant argued the board of review comparables are in superior condition to the subject property based on the information that was provided from the Multiple Listing Service

In surrebuttal, Abel stated that she tried to find comparables that were similar condition to the subject based on the MLS pictures of the comparables in comparison to the subject pictures that were provided by the appellant. Abell also inquired about the annual inspections by the City of Aurora. The appellant testified the annual inspection of the subject property is more for safety such as functioning smoke and carbon monoxide detectors, proper plumbing, electrical, and properly functioning doors and windows.

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 to support their respective positions before the Property Tax Appeal Board. The Board gives less weight to the appellant's comparables as well as board of review comparables #1 and #4 which are less similar to the subject dwelling in size, age and/or sold in 2019 which is less proximate in time to the January 1, 2021 assessment date than the other sales in the record. In addition, appellant's comparable #3 as well as board of review comparables #1 and #4 are located on the first floor with a private entrance unlike the subject property.

The Board finds the best evidence of market value to be board of review comparable sales #2 and #3 which are most similar to the subject in dwelling size and age. These comparables also

sold most proximate in time to the assessment date at issue. The board of review comparables #2 and #3 have been updated to varying degrees and based upon the appellant's testimony, the subject unit has not been updated, suggesting downward adjustments would be necessary to make them more equivalent to the subject. The best comparables sold in October 2021 and September 2020 for prices of \$87,000 and \$81,000 or \$131.82 and \$126.56 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$73,192 or \$110.90 per square foot of living area, including land, which falls below the two best comparables in the record which is logical due to subject's lack of updating. Based on this evidence, the Board finds the appellant did not prove by a preponderance of the evidence that a reduction in the subject's assessment is 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: March 26, 2024



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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