



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

APPELLANT: Daniel & Beth Soulvie
DOCKET NO.: 22-02612.001-R-1
PARCEL NO.: 05-36-154-002

The parties of record before the Property Tax Appeal Board are Daniel & Beth Soulvie, 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: \$32,035
IMPR.: \$125,200
TOTAL: \$157,235

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 2022 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 exterior construction with 3,130 square feet of living area. The dwelling was constructed in 2019. Features of the home include an unfinished walk-out style basement, central air conditioning, a fireplace, and a garage containing 600 square feet of building area. The property has a 15,682 square foot site and is located in Elgin, Plato Township, Kane County.

The appellants contend assessment inequity with respect to the improvement as the basis of the appeal. In support of this argument the appellants submitted information on 12 equity comparables located within .47 of a mile of the subject and within the subject's subdivision. The comparables consist of two-story dwellings ranging in size from 2,895 to 3,371 square feet of living area. The homes were built from 2010 to 2018. Each dwelling has central air conditioning, a fireplace, an unfinished basement, and a garage containing either 630 or 651

square feet of building area. The comparables have improvement assessments ranging from \$102,359 to \$121,421 or from \$34.08 to \$37.05 per square foot of living area. Based on this evidence, the appellants requested a reduced improvement assessment of \$110,513 or \$35.31 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$157,235. The subject property has an improvement assessment of \$125,200 or \$40.00 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on seven equity comparables. The comparables consist of two-story dwellings ranging in size from 2,964 to 3,049 square feet of living area. The homes were built from 2015 to 2020. Each dwelling has central air conditioning, a fireplace, a basement with one being a walk-out style, and a garage ranging in size from 600 to 748 square feet of building area. The comparables have improvement assessments ranging from \$124,408 to \$140,884 or from \$40.67 to \$47.53 per square foot of living area.

The board of review also submitted a sales comparison report, an aerial photograph, and a memorandum noting the subject backs to a golf course and none of the appellants' comparables are located adjacent to the golf course or have walk-out style basements.

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

In rebuttal, the appellants argued that approximately 80% of the comparables submitted support a reduction in the subject's assessment based on their assessments per square foot.

Conclusion of Law

The taxpayers contend assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill. Admin. Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity, and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill. Admin. Code §1910.65(b). The Board finds the appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted a total of 19 equity comparables to support their respective positions before the Property Tax Appeal Board. The Board finds these comparables are similar to the subject in age, location, dwelling size, and features. These comparables have improvement assessments that range from \$102,359 to \$140,884 or from \$34.08 to \$47.53 per square foot of living area. The subject's improvement assessment of \$125,200 or \$40.00 per square foot of living area falls within the range established by the best comparables in this record. Based on this record and after considering adjustments to the best comparables for differences from the subject, the Board finds the appellants did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and 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:

April 16, 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

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

APPELLANT

Daniel & Beth Soulvie, by attorney:
Jessica Hill-Magiera
Attorney at Law
790 Harvest Drive
Lake Zurich, IL 60047

COUNTY

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