



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

APPELLANT: Passorn Jamkajornkiat
DOCKET NO.: 22-02679.001-R-1
PARCEL NO.: 07-01-11-107-005-0000

The parties of record before the Property Tax Appeal Board are Passorn Jamkajornkiat, the appellant; and the Will 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 Will County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$54,428
IMPR.: \$123,487
TOTAL: \$177,915

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 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 brick and cedar exterior construction with 3,055 square feet of living area. The dwelling was constructed in 1992 and is approximately 30 years old. Features of the home include an unfinished basement, central air conditioning, one fireplace and a 731 square foot 3-car garage. The property has an approximately 10,375 square foot site¹ and is located in Naperville, Wheatland Township, Will County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on eight comparable sales in two grid analyses² that are located within 0.50 of a mile from the subject property. The comparables have sites that range in size

¹ The Board finds the subject's site measures 83'x125' or 10,375 square feet of land area, as reported in its property record card, submitted by the board of review.

² For ease of reference, comparables in the appellant's second grid analysis have been numbered #5 to #8.

from 9,583 to 17,860 square feet of land area and are improved with two-story dwellings of cedar, brick and cedar, or brick and wood siding exterior construction ranging in size from 2,623 to 2,964 square feet of living area. The dwellings have reported ages ranging from 21 to 40 years old. Each comparable has a basement, with seven having finished area. Each dwelling has central air conditioning, one fireplace and either a 2-car garage or a 500 or 700 square foot garage. The properties sold from April 2015 to March 2023 for prices ranging from \$438,500 to \$579,900 or from \$156.50 to \$218.83 per square foot of living area, land included.

The appellant's grid analysis reported the subject property sold on May 12, 2021 for a price of \$560,000 or \$183.31 per square foot of living area, land included.³ Based on this evidence, the appellant requested the subject's total assessment be reduced to \$164,428 which reflects a market value of \$493,333 or \$161.48 per square foot of living area, land included, 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 \$177,915. The subject's assessment reflects a market value of \$533,798 or \$174.73 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.⁴

In response to the appellant's evidence, the board of review, through the Wheatland Township Assessor's Office, critiqued four of the appellant's comparables arguing the properties are smaller in dwelling size and garage capacity when compared to the subject.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales located within 0.91 of a mile from the subject property. The comparables are improved with two-story dwellings of frame exterior construction ranging in size from 2,968 to 3,062 square feet of living area. The homes were built from 1993 to 1996. Each comparable has an unfinished basement, central air conditioning, one fireplace and a garage ranging in size from 602 to 709 square feet of building area. The properties sold from August 2021 to October 2022 for prices ranging from \$625,000 to \$710,000 or from \$208.89 to \$231.87 per square foot of living area, land included.

The board of review also submitted a copy of the Multiple Listing Service (MLS) sheet associated with the subject's May 12, 2021 sale for \$560,000. The MLS depicted the subject had a remodeled kitchen, updated bathrooms, new carpet and other advertised updates. The board of review noted the subject's market value based on its 2022 assessment falls below its purchase price. However, the board of review requested the subject's assessment be confirmed.

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

³ The appellant did not complete section IV – Recent Sale Data of the appeal petition.

⁴ Procedural rule Sec. 1910.50(c)(1) provides that in all counties other than Cook, the three-year county wide assessment level as certified by the Department of Revenue will be considered. 86 Ill.Admin.Code Sec. 1910.50(c)(1). Prior to the drafting of this decision, the Department of Revenue has yet to publish figures for tax year 2022.

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 twelve comparable sales and evidence documenting a May 2021 sale of the subject property for the Board's consideration. The Board gives less weight to appellant comparables #1 through #4 and #6 through #8 which have finished basement area in contrast to the subject's unfinished basement and/or sold less proximate in time to the January 1, 2022 assessment date than other properties in the record. The remaining comparables, appellant comparable #5 and the board of review comparables, sold from August 2021 to December 2022 for prices ranging from \$522,000 to \$710,000 or from \$182.17 to \$231.87 per square foot of living area, land included. The subject's assessment reflects a market value of \$533,798 or \$174.73 per square foot of living area, including land, which falls within the range established by the best comparable sales in this record on an overall market value basis and below the range on a per square foot basis.

However, the Board finds the best evidence of market value to be the May 2021 sale of the subject property, submitted by both parties, for a price of \$560,000 or \$183.31 per square foot of living area, land included. The board of review submitted the MLS associated with this sale disclosing the property was listed on the open market for a period of 8 days and was sold with the help of a realtor.

The Illinois Supreme Court has defined fair cash value as what the property would bring at a voluntary sale where the owner is ready, willing, and able to sell but not compelled to do so, and the buyer is ready, willing and able to buy but not forced to do so. Springfield Marine Bank v. Property Tax Appeal Board, 44 Ill.2d. 428, (1970). **A contemporaneous sale of two parties dealing at arm's-length is not only relevant to the question of fair cash value but is practically conclusive on the issue of whether an assessment is reflective of market value.** Korzen v. Belt Railway Co. of Chicago, 37 Ill.2d 158 (1967).

After considering the evidence in the record and given the board of review's request for confirmation of the subject's assessment, the Board finds a reduction in the subject's assessment is not 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 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

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