



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

APPELLANT: Jessica Jackson
DOCKET NO.: 22-02701.001-R-1
PARCEL NO.: 03-32-326-014

The parties of record before the Property Tax Appeal Board are Jessica Jackson, the appellant, by attorney Jeffrey G. Hertz, of Sarnoff & Baccash in Chicago; and the Kendall 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 **Kendall** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$46,753
IMPR.: \$123,437
TOTAL: \$170,190

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Kendall 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 2-story dwelling of brick and frame exterior construction with 3,597 square feet of living area. The dwelling was constructed in 1991 and is approximately 31 years old. Features of the home include an unfinished “lookout” style basement, central air conditioning, a fireplace and a garage containing 736 square feet of building area. The property has an approximately 96,039 square foot or 2.20 acre site and is located in Oswego, Oswego Township, Kendall County.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted evidence disclosing the subject property was purchased in June 2020 for a price of \$396,000 from Jeffrey Hunt. The appellant completed Section IV - Recent Sale Data of the appeal petition disclosing the parties to the transaction were not related, the property was sold by a realtor and the property was advertised for sale through the Multiple Listing Service for 93

days. To document the sale, the appellant submitted copies of the Multiple Listing Service (MLS) data sheet and Settlement Statement associated with the sale of subject which disclosed real estate commissions were paid. In addition, the appellant submitted an appraisal report prepared by Jay P. Koyak, a Certified Residential Real Estate Appraiser.¹ The appraisal was prepared on behalf of a mortgage lender in connection with a mortgage finance transaction. The appraiser utilized the sales comparison approach in arriving at an estimated market value of \$414,000 as of June 8, 2020. The appraiser affirmed that he did not perform a personal visual inspection of the subject property as part of the appraisal assignment. Based on this evidence, the appellant requested a reduction in the subject's assessment 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 \$170,190. The subject's assessment reflects a market value of \$510,621 or \$141.96 per square foot of living area, including land, when using the statutory level of assessment of 33.33% as determined by the Illinois Department of Revenue.²

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales located within the same street and the same neighborhood code as the subject property. The comparables have sites that range in size from 1.18 to 2.36 acres of land area and are improved with 2-story dwellings of brick and frame or frame exterior construction ranging in size from 2,577 to 3,531 square feet of living area. The comparables range in age from 29 to 35 years old. The comparables each have an unfinished basement, central air conditioning, a fireplace, and a garage ranging in size from 462 to 761 square feet of building area. The sales occurred from January 2021 to June 2022 for prices ranging from \$465,000 to \$575,000 or from \$158.59 to \$181.41 per square foot of living area, including land. In addition, the board of review submitted property record cards for the subject and the three comparables as well as the Illinois Real Estate Transfer Declaration (PTAX-203) forms associated with the sales of the three comparable properties. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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.

¹ The copy of the appraisal report submitted as part of appellant's evidence is missing a portion of the report including information regarding the first three (of four) comparable sales. Consequently, the Board is unable to conduct a meaningful comparative analysis or evaluate the methodology utilized by the appraiser and, therefore, finds the appraisal report to be of no probative value.

² 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). As of the development of this Final Administrative Decision, the Department of Revenue has not published figures for tax year 2022.

Initially, the Board gave no weight to the appraisal report submitted by the appellant as it did not include the entirety of the report with key pages missing thus the Board was unable to conduct a meaningful analysis. In addition, the appraiser did not personally inspect the subject property, and the effective date of the appraisal report is June 2020 which is dated relative to the January 1, 2022 assessment date at issue and, thus not as reflective of the subject's market value as the board of review comparables which sold more proximate to the lien date at issue.

The Board finds the best evidence of market value to be the three comparables submitted by the board of review which are located on the same street as the subject and are similar to the subject in design, age, and features. However, comparables #2 and #3 have smaller lots and dwelling sizes relative to the subject property meaning that upward adjustments are necessary to these comparables in order to make them more equivalent to the subject. The sales occurred from January 2021 to June 2022 for prices ranging from \$465,000 to \$575,000 or from \$158.59 to \$181.41 per square foot of living area, including land. The subject's assessment reflects a market value of \$510,621 or \$141.96 per square foot of living area, including land, which is within the range established by the best comparable sales in this record in terms of overall value and below the range on a per square foot basis.

The Board gave reduced weight to the sale of the subject property in June 2020. Although the appellant provided evidence demonstrating the June 2020 sale of the subject property had the elements of an arm's length transaction, the sale date is less proximate in time to the lien date at issue than the comparables sales submitted by the board of review and, therefore, less likely to accurately reflect the subject's market value as of that date than the comparable sales submitted by the board of review. Based on this record, and after considering adjustments to the board of review comparables for differences from the subject such as dwelling and lot sizes, the Board finds the appellant did not demonstrate by a preponderance of the evidence that the subject property is overvalued and, thus, 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: 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

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