



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

APPELLANT: Meijer Stores LP
DOCKET NO.: 23-03184.001-C-3
PARCEL NO.: 09-32-476-014

The parties of record before the Property Tax Appeal Board are Meijer Stores LP, the appellant, by attorney David A. Suess of Faegre Drinker Biddle & Reath, LLP, in Indianapolis; 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: \$2,886,084
IMPR.: \$ 843,516
TOTAL: \$3,729,600

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 2023 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 commercial property located in St. Charles Township, Kane County.

The appellant submitted evidence before the Property Tax Appeal Board claiming the market value of the subject property is not accurately reflected in its assessment. In support of the overvaluation argument, the appellant submitted an appraisal of the subject property estimating a fair market value of \$11,200,000 as of January 1, 2023. The appraiser developed the income and sales comparison approaches to value in arriving at the final opinion of value. Based on this evidence, the appellant requested the subject's assessment be reduced to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's final assessment of \$5,112,068. The subject's final assessment reflects an estimated market value of \$15,351,556 when applying Kane County's 2023 three-year average median level of assessments of 33.30%. The board of review did not submit any valuation evidence in support of the subject's estimated market value but stated: "The county will adopt the evidence of the Intervenor."¹

Conclusion of Law

The taxpayer argued 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). National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3rd Dist. 2002). 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 has met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant in this appeal submitted an appraisal in support of the contention that the subject parcel was not accurately assessed. The board of review did not submit any evidence in support of the subject's assessment or to refute the value evidence submitted by the appellant. The appraisal submitted by the appellant estimated the subject property had a market value of \$11,200,000 as of January 1, 2023. The Board finds the appellant submitted the best and only evidence of the subject's fair market value contained in this record. The subject property's assessment reflects an estimated market value of \$15,351,556, considerably greater than the appraised value presented by the appellant. Therefore, the Board finds a reduction in the subject's assessment is warranted. Since fair market value has been established, Kane County's 2023 three-year average median level of assessments of 33.30% shall apply.

¹ In this appeal, the Intervenor, Board of Education St. Charles Community Unit School District No. 303, by attorney Pamela E. Simaga of Hodges, of Loiizzi, Eisenhammer Rodick & Kohn, was granted three extensions of time totaling 180 days to submit evidence based on the assertion "[T]he Intervenor is attempting to negotiate a settlement with the Appellant. The Intervenor requires additional time to consider settlement proposals and discuss it with the involved parties and/or if a settlement is unable to be reached, the Intervenor needs additional time to retain an appraiser." Ultimately, the intervenor did not reach a settlement, retain an appraiser or submit any evidence to support the subject's correct assessment, but merely adopted the evidence of the Kane County Board of Review. Since the Kane County Board of Review did not submit any valuation evidence to support the subject's market value, the Intervenor was found to be in default by letter dated April 17, 2025.

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: July 15, 2025



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

Meijer Stores LP, by attorney:
David A. Suess
Faegre Drinker Biddle & Reath LLP
300 North Meridian Street
Suite 2500
Indianapolis, IN 46204

COUNTY

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