



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

APPELLANT: CHRISTOPHER & MARIOL FABER
DOCKET NO.: 23-03228.001-R-1
PARCEL NO.: 07-01-01-311-001-0000

The parties of record before the Property Tax Appeal Board are CHRISTOPHER & MARIOL FABER, the appellants, by attorney Brian P. Liston, of the Law Offices of Liston & Tsantilis, P.C. in Chicago, 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: \$48,356
IMPR.: \$156,720
TOTAL: \$205,076

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 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 two-story dwelling of frame exterior construction with 3,364 square feet of living area. The dwelling was constructed in 1992. Features of the home include 2½ bathrooms, an unfinished basement, central air conditioning, a fireplace and a 674 square foot garage. The property has a 12,250 square foot site¹ and is located in Naperville, Wheatland Township, Will County.

The appellants' appeal is based on overvaluation. In support of this argument, the appellants completed Section IV – Recent Sales Data of the petition disclosing the subject property was purchased on July 1, 2021 for a price of \$600,000. The appellants reported the property was purchased from the owner, the parties to the transaction were not related and the property was

¹ While the board of review did not provide lot sizes for any of the comparables, each comparable has an underlying property record card depicting lot dimensions.

advertised prior to sale, although the appellants did not report by what method the property was advertised nor for how long it was on the market. In further support, the appellants submitted a copy of the contract of sale along with disclosures, a copy of the Warranty Deed and the Settlement Statement which depicted the distribution of commissions to two entities. Based on this evidence, the appellants requested a reduction in the subject's assessment to reflect the July 2021 purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$205,076. The subject's assessment reflects a market value of \$615,290 or \$182.90 per square foot of living area, land included, when using the level of assessment of 33.33%.²

In a letter submitted in response to the appeal, the township assessor opined that a reduction in tax year 2023 to the subject's 2021 purchase price based on this appeal would necessitate applying the 2023 equalization factor of 5.71% to the sale price which would result in a higher total assessment of \$211,420.

In support of its contention of the correct assessment, the board of review submitted information prepared by the Wheatland Township Assessor's Office on four comparable sales located in the subject's subdivision, where the comparables are within ± 100 square feet of the subject in dwelling size, have 3-car garages, have basements, 2½ bathrooms and a fireplace. The four comparable parcels range in size from 6,600 to 13,430 square feet of land area³ and each parcel is improved with a two-story dwelling of frame exterior construction. The homes were built in either 1992 or 1996 and range in size from 3,280 to 3,460 square feet of living area. Each dwelling has 2½ bathrooms, an unfinished basement, central air conditioning, a fireplace and a garage ranging in size from 634 to 763 square feet of building area. The comparables sold from July 2021 to December 2022 for prices ranging from \$655,800 to \$710,000 or from \$195.82 to \$211.31 per square foot of living area, including land.

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

Conclusion of Law

The appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

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). Prior to the issuance of this decision, the Department of Revenue has yet to publish Table 3 with the figures for tax year 2023.

³ See Footnote 1.

The appellants assert the subject property is overvalued in tax year 2023 based on its July 2021 purchase price whereas the board of review provided four comparable sales of similar properties to support the subject's current estimated market value before the Property Tax Appeal Board. The Board has given reduced weight to the subject's sale due to the fact the sale did not occur as proximate in time to the assessment date at issue as other sales in this record. The Board has given reduced weight to board of review comparable #4 which sold in July 2021, a date equally distant to the lien date at issue as the appellants' purchase price in this appeal.

The Board finds the best evidence of market value in the record to be the comparable sales #1, #2 and #3 submitted by the board of review, which are identical to the subject in age and bathroom count with similar features and some variations in the dwelling size, yet highly similar to the subject property. These properties sold more proximate in time to the assessment date at issue from April to December 2022. The comparables sold for prices ranging from \$655,800 to \$710,000 or from \$195.82 to \$211.31 per square foot of living area, including land. The subject's assessment reflects a market value of \$615,290 or \$182.90 per square foot of living area, including land, which is below the range established by the best comparable sales in this record both in terms of overall market value and on a per-square-foot of living area basis.

Based on this record and after considering appropriate adjustments to the best comparable sales for differences when compared to the subject property for dwelling size, basement size, garage size and/or lot size, the Board finds the subject's assessment appears to be reflective of current market value and a reduction in the subject's assessment is not justified on a sale price that occurred approximately 17 months prior to the lien date of January 1, 2023.

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: October 15, 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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