



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

APPELLANT: Kalyan Dey
DOCKET NO.: 23-03305.001-R-1
PARCEL NO.: 07-01-03-107-016-0000

The parties of record before the Property Tax Appeal Board are Kalyan Dey, 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: \$63,751
IMPR.: \$181,570
TOTAL: \$245,321

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 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 with brick trim exterior construction with 3,880 square feet of living area.¹ The dwelling was constructed in 1999. Features of the home include a basement with finished area, 3½ bathrooms, central air conditioning, a fireplace and a three-car garage. The property is located in Naperville, Wheatland Township, Will County.

The appellant contends both assessment inequity concerning both the improvement and the land assessment along with overvaluation as the two bases of the appeal. In support of these arguments, the appellant submitted information on five comparable properties with both equity

¹ Although the appellant reported a dwelling size for the subject of 3,777 square feet, there was no support for this calculation. Instead, the appellant supplied the property record card depicting 3,880 square feet of living area which is the same data supplied by the board of review. On this record, the Board finds the home contains 3,880 square feet of living area.

and sales data. The appellant's land inequity argument appears to lack any basis as the appellant set forth the "land value" of 63,751 from the attached property record cards as the lot size. The underlying property record cards under Property & Land Info lack any lot size or acreage figures. The 63,751 figure is actually the "land value" or land assessment for the subject and each of the five comparables.

The appellant's five comparables are located in the same neighborhood code as the subject. The parcels are each improved with a two-story dwelling of stucco [Stako?] and wood siding or brick trim and wood siding exterior construction. The dwellings were built in 1999 and range in size from 3,573 to 3,688 square feet of living area. Each dwelling has a basement, three of which have finished area based on the attached property record cards. Features include 3½ bathrooms or 4 full bathrooms, central air conditioning, a fireplace and either a two-car or a three-car garage. The comparables have improvement assessments ranging from \$166,595 to \$174,807 or from \$45.86 to \$48.92 per square foot of living area. The properties sold from March 2020 to September 2021 for prices ranging from \$600,500 to \$665,000 or from \$166.16 to \$183.96 per square foot of living area, including land.

Based on this evidence, the appellant requested a reduced land assessment of \$57,800 and a reduced improvement assessment of \$167,700 or \$43.22 per square foot of living area with a total reduced assessment of \$225,500 which would reflect a market value of approximately \$676,568 or \$174.37 per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$245,321. The subject property has an improvement assessment of \$181,570 or \$46.80 per square foot of living area. The subject's total assessment reflects a market value of \$736,037 or \$189.70 per square foot of living area, including land, when applying the statutory level of assessment of 33.33%.²

A memorandum from the township assessor's office noted that each of the appellant's comparable homes were from 192 to 307 square feet smaller than the subject dwelling, one comparable has a two-car garage and the sales dates were each from 2020 and 2021. In contrast, the four comparables presented on behalf of the board of review are ±124 square feet of the subject dwelling's size and sold closer to the assessment date of January 1, 2023.

In support of its contention of the correct assessment, the board of review through the township assessor submitted information on four properties with both equity and sales data. The properties are located in the same neighborhood code as the subject and within .36 of a mile from the subject. As to the parcels, there is no size information for the lots and each comparable has an identical land assessment of \$63,751, like the subject parcel. The parcels are each improved with a two-story dwelling of frame exterior construction. The dwellings were built in 1998 and 1999 and range in size from 3,756 to 3,959 square feet of living area. Each dwelling has a basement, three of which have finished area. Features include 3½ bathrooms, central air

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.

conditioning, a fireplace and a three-car garage. The comparables have improvement assessments ranging from \$173,350 to \$188,028 or from \$46.15 to \$47.49 per square foot of living area. The comparables sold from June to October 2022 for prices ranging from \$738,000 to \$900,000 or from \$194.16 to \$233.52 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

In part, the taxpayer contends assessment inequity as a 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 appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

As to the land inequity argument, the parties submitted a total of nine comparable properties. No lot size data was provided by either party, but the record discloses identical land assessments for all nine parcels of \$63,751. In the appeal petition, the appellant requested a reduced land assessment of \$57,800. Since the subject and the comparables have identical total land assessments of \$63,751, without further information, there is no indication of an inequitable land assessment on this record. Based on this record containing identical land assessments for all parcels, regardless of size, the Board finds a land assessment reduction is not warranted on this evidence.

As to the improvement inequity argument, the parties submitted a total of nine equity comparables to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to the appellant's comparables #1 and #2 as well as board of review comparable #4, due to the lack of finished basement area, which is a feature of the subject dwelling.

The Board finds the best evidence of improvement assessment equity to be appellant's comparables #3, #4 and #5 along with board of review comparables #1, #2 and #3, which are similar to the subject in location, age, design, dwelling size, finished basement, bathroom count and features. Adjustments are necessary for each of the best comparables for differences in dwelling size. These comparables have improvement assessments ranging from \$169,442 to \$188,028 or from \$46.79 to \$48.92 per square foot of living area. The subject's improvement assessment of \$181,570 or \$46.80 per square foot of living area falls within the range established by the best comparables in this record both in terms of overall improvement assessment and on a per-square-foot of living area basis. Based on this record, the Board finds the appellant 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 on this basis.

In the alternative, 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.

The parties submitted a total of nine comparable sales in their respective grid analyses. As stated above, the Board has given less weight to appellant's comparables #1 and #2 along with board of review comparable #4, due to the lack of finished basement area, which is a feature of the subject dwelling. In addition, the Board has given reduced weight to appellant's comparables #3, #4 and #5, due to the dates of sale in 2020 and 2021, being 18 and 33 months prior to the valuation date at issue of January 1, 2023.

The Board finds the best evidence of market value to be board of review comparables #1, #2 and #3, which are similar to the subject property in location, age, design, dwelling size, finished basement amenity, and some features. The Board recognizes that adjustments are necessary to the best comparables for slight differences in dwelling size, basement size and size of basement finish, when compared to the subject dwelling. These comparables sold from August to October 2022 for prices ranging from \$738,000 to \$900,000 or from \$194.16 to \$233.52 per square foot of living area, including land. The subject's assessment reflects a market value of \$736,037 or \$189.70 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 value and on a per-square-foot of living area basis.

In conclusion, based on this evidence and after considering appropriate adjustments to the best comparable sales in the record for size differences when compared to the subject property, the Board finds a reduction in the subject's assessment is not justified on grounds of overvaluation.

In summary, the appellant has failed to establish either lack of assessment equity by clear and convincing evidence or the assertion of overvaluation by a preponderance of the evidence. As such, the Board finds that no change in the subject's assessment is warranted on this record.

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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