



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

APPELLANT: Yianni Theoharis
DOCKET NO.: 23-03313.001-R-1
PARCEL NO.: 16-05-12-405-011-0000

The parties of record before the Property Tax Appeal Board are Yianni Theoharis, the appellant, by attorney Spiro G. Zarkos, of Verros Berkshire, PC in Oakbrook Terrace, 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: \$63,232
IMPR.: \$126,778
TOTAL: \$190,010

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 brick exterior construction with 2,949 square feet of living area. The dwelling was constructed in 1986 and is approximately 37 years old. Features of the home include an unfinished basement, central air conditioning, a fireplace and a 762 square foot garage. The property has an approximately 21,830 square foot site and is located in Homer Glen, Homer Township, Will County.

The appellant contends assessment inequity concerning the improvement as the basis of the appeal. In support of this argument, the appellant submitted information on three equity comparables located in the same subdivision as the subject and within .2 of a mile from the subject. The comparables consist of a one-story and two, two-story dwellings of brick exterior construction. The homes were built from 1988 to 2000 meaning the homes range in age from 23 to 35 years old. The dwellings range in size from 2,341 to 4,301 square feet of living area. Each

comparable has an unfinished basement, central air conditioning, one or two fireplaces and a garage ranging in size from 490 to 781 square feet of building area. The comparables have improvement assessments ranging from \$110,281 to \$131,086 or from \$27.35 to \$47.11 per square foot of living area.

Based on this evidence, the appellant requested a reduced improvement assessment of \$111,495 or \$37.81 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$190,010. The subject property has an improvement assessment of \$126,778 or \$42.99 per square foot of living area.

In response to the appeal, a letter from the Homer Township Assessor's Office noted that the appellant had agreed to an assessment reduction for this property for tax year 2023 with the board of review.¹ Additionally, the assessor argued differences in dwelling size and/or story height of the appellant's comparables when compared to the subject. In contrast, the comparables presented on behalf of the board of review are \pm 300 square feet as compared to the subject's dwelling size and are from the same subdivision as the subject dwelling.

In support of its contention of the correct assessment, the board of review through the township assessor submitted information on four equity comparables, along with applicable property record cards. The comparables are located within .23 of a mile from the subject. The comparables consist of two-story dwellings and were built from 1986 to 1989 meaning the dwellings range in age from 34 to 37 years old. The homes range in size from 2,662 to 3,223 square feet of living area. Each comparable has an unfinished basement, central air conditioning, a fireplace and a garage ranging in size from 497 to 744 square feet of building area. The comparables have improvement assessments ranging from \$122,914 to \$155,024 or from \$43.22 to \$54.13 per square foot of living area.

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

Conclusion of Law

The taxpayer contends assessment inequity as the 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

¹ The assessor further pointed out that the terms of the stipulation includes the following: "The appellant further agrees not to appeal this stipulated assessment, and hereby waives his/her right to appeal to the Property Tax Appeal Board" The last signature date on the stipulation is November 7, 2023. This record also contains a Final Decision issued by the Will County Board of Review for this property dated January 24, 2024 providing in pertinent part: You may appeal this decision to the Property Tax Appeal Board by filing a petition with THE PROPERTY TAX APPEAL BOARD within 30 days after this notice is mailed to you or your agent, or is personally served upon you or your agent." [Emphasis in original]. This appeal was timely filed on February 20, 2024 and no jurisdictional question has been raised by the Will County Board of Review, the only other party to this proceeding.

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.

The parties submitted a total of seven equity comparables to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparable #3 due to its one-story design, its newer age of 23 years and its 20% smaller dwelling size as compared to the subject two-story 37-year-old dwelling containing 2,949 square feet of living area. In addition, the Board has likewise given reduced weight to appellant's comparables #1 and #2 which are 14% and 46%, respectively, larger in dwelling size when compared to the subject.

The Board finds the best evidence of assessment equity to be the board of review comparables which are similar to the subject in location, age, foundation type and/or features. These homes are approximately $\pm 10\%$ of the size of the subject dwelling and have improvement assessments ranging from \$122,914 to \$155,024 or from \$43.22 to \$54.13 per square foot of living area. The subject's improvement assessment of \$126,778 or \$42.99 per square foot of living area falls within the range established by the best comparables in this record in terms of overall improvement assessment and is slightly below the range on a per-square-foot of living area basis. Based on this record and after considering appropriate adjustments to the best equity comparables in the record for differences when compared to the subject, 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.

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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