



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

APPELLANT: Peotone Property LLC
DOCKET NO.: 23-03318.001-R-1
PARCEL NO.: 17-20-24-220-017-0000

The parties of record before the Property Tax Appeal Board are Peotone Property LLC, the appellant, by attorney Daniel J. McCarthy, III, of Goldstine, Skrodzki, et. al. in Burr Ridge, and the Will 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 **Will** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$12,832
IMPR.: \$15,269
TOTAL: \$28,101

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 vinyl siding exterior construction with 1,429 square feet of living area.¹ The dwelling was constructed in 1958 and is approximately 65 years old. Features of the home include a partial unfinished basement and a shed. The property has a 10,725 square foot site and is located in Peotone, Peotone Township, Will County.

The appellant contends both assessment inequity concerning the land and the improvement along with a claim of overvaluation as the bases of the appeal. In support of these arguments, the appellant submitted information on three comparable properties with both equity and sales data along with supporting Multiple Listing Service (MLS) data sheets for each property. The

¹ The parties differ on the subject's description. The Property Tax Appeal Board finds the best evidence of the subject property is taken from its property record card supplied by the board of review which was not refuted by the appellant.

properties are located within .5 of a mile from the subject. The parcels range in size from 7,700 to 11,859 square feet of land area. The comparables have land assessments of \$12,832 or from \$1.08 to \$1.67 per square foot of land area. Based on this evidence, the appellant requested a reduced land assessment of \$10,698 or \$1.00 per square foot of land area.

Each parcel is improved with either a 1.5-story or a 2-story dwelling of Masonite, aluminum siding or aluminum and vinyl siding exterior construction. The dwellings are described as 88 or 100+ years old. The comparables range in size from 1,536 to 3,000 square feet of living area. Each dwelling has a full unfinished basement. Features include 1 or 2 full bathrooms. Comparables #1 and #3 have central air conditioning and two comparables have either a one-car or a two-car garage. Comparable #1 has a shed. The comparables have improvement assessments ranging from \$44,637 to \$49,123 or from \$16.28 to \$31.98 per square foot of living area. The properties sold from March to December 2022 for prices ranging from \$61,230 to \$115,000 or from \$32.23 to \$59.33 per square foot of living area, including land.

Based on this evidence, the appellant requested a reduced improvement assessment of \$14,000 or \$9.80 per square foot of living area. The appellant also requested a total reduced assessment of \$24,698 which would reflect a market value of approximately \$74,101 or \$51.86 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 \$41,062. The subject property has a land assessment of \$12,832 or \$1.20 per square foot of land area and an improvement assessment of \$28,230 or \$19.76 per square foot of living area. The subject's total assessment reflects a market value of \$123,198 or \$86.21 per square foot of living area, including land, when applying the statutory level of assessment of 33.33%.²

In response to the appellant's evidence, a three-page memorandum by the Peotone Township Assessor's Office analyzed appellant's comparables #1 and #2 setting forth errors in lot size, story height, dwelling size, basement size and/or garage amenity, which were displayed in a "corrected" grid analysis. The assessor argued that comparable #3 should be disregarded since the parcel number and address do not match one another. The board of review did not further address this comparable.

As to comparables #1 and #2, contrary to the reported age of more than 100 years old, the assessor stated each comparable was built in 1958 and 1964, respectively, making the homes 65 and 59 years old, respectively. These comparable parcels are 11,550 and 8,592 square feet of land area, respectively, which would reflect land assessments of \$1.11 and \$1.49 per square foot of land area, respectively. The story heights for comparables #1 and #2 are 2.5 story and 2-story with dwelling sizes of 1,876 and 2,131 square feet of living area, respectively, resulting in adjusted improvement assessments of \$26.03 and \$20.95 per square foot of living area and adjusted sales prices of \$61.30 and \$28.73 per square foot of living area, including land,

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.

respectively. Finally, appellant's comparable #1 was reported to currently be under renovation and was not habitable at this time and appellant's comparable #2 was uninhabitable with holes in the roof at the time of purchase in July 2022.

In support of its contention of the correct assessment, the board of review through the township assessor submitted information on two comparable properties with equity and sales data. As part of the submission, the assessor recommended that the subject parcel's land assessment be *increased* to \$12,870 or \$1.20 per square foot of land area and the improvement assessment of the subject be decreased to \$26,217 or \$18.35 per square foot of living area, after having remeasured the subject dwelling, for a revised total assessment of \$39,087, however, with the board of review evidence, Dale D. Butalla, Supervisor of Assessments, provided a letter stating in pertinent part that the board of review requests "that no change be made to this property at this time." Moreover, in order to increase the subject's land assessment after the issuance of the Final Decision for tax year 2023 issued by the board of review, the evidence should involve more than a recalculation and/or a re-measurement of the property, which may alter the assessment in subsequent years, but should not be used in this matter merely because an appeal was filed with the Property Tax Appeal Board. As currently assessed for 2023, the subject's land assessment is \$1.20 per square foot already.

The board of review comparables are located .01 and .31 of a mile from the subject. The parcels are 8,235 and 10,890 square feet of land area with land assessments of \$12,588 and \$11,278 or \$1.53 and \$1.04 per square foot of land area, respectively.

The parcels are each improved with a 2-story and a 1.5-story dwelling built in 1957 and 1958, respectively. The homes contain 1,657 and 1,426 square feet of living area, respectively. Each dwelling has an unfinished basement, central air conditioning and a garage of 340 and 638 square feet of building area, respectively. The comparables have improvement assessments of \$45,722 and \$44,208 or of \$27.59 and \$31.00 per square foot of living area. The comparables sold in March 2019 and December 2018 for prices of \$140,000 and \$137,000 or for \$84.49 and \$96.07 per square foot of living area, including land, respectively.

Based on this evidence, the Supervisor of Assessments on behalf of 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.

The parties submitted a total of five equity comparables to support their respective positions before the Property Tax Appeal Board. As to the land inequity argument, the Board has given

reduced weight to appellant's comparable #3 as the data is likely in error given the errors reported in the other two comparables as presented by the appellant. Thus, the Board finds the best comparables for land assessment equity are the remaining four comparables which present land assessments ranging from \$1.04 to \$1.67 per square foot of land area. The subject's land assessment of \$1.20 per square foot of land area falls within the range of the similar parcels. Thus, no reduction in the subject's land assessment is warranted on this record.

As to the improvement inequity argument, the Board has given reduced weight to the appellant's comparables #2 and #3, due to likely errors in #3 and due to a significant difference in dwelling size of #2 when compared to the subject.

The Board finds the best evidence of assessment equity to be appellant's comparable #1 along with board of review comparables #1 and #2, which are more similar to the subject in dwelling size and some features. Adjustments for differences in age, design, air conditioning amenity and/or garage amenity are necessary to make the properties more equivalent to the subject. These three comparables have improvement assessments ranging from \$44,208 to \$48,836 or from \$26.03 to \$31.00 per square foot of living area. The subject's improvement assessment of \$28,230 or \$19.76 per square foot of living area falls below 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 which fails to support that the subject property is inequitably assessed. Therefore, 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted a total of five suggested comparable sales in their respective grid analyses. As stated above, the Board has given less weight to appellant's comparables #2 and #3, due to significant differences in dwelling size when compared to the subject and likely errors in data, respectively. The Board has also given reduced weight to the board of review comparables which sold 45 and 48 months, respectively, prior to the January 1, 2023 lien date at issue and thus are not likely to be indicative of market value as of the date at issue.

The Board finds the only evidence of market value proximate in time to the lien date and somewhat similar to the subject to be appellant's comparable sale #1, which is relatively similar to the subject property in location, lot size, dwelling size, foundation type and some features with adjustments necessary for differences in basement size and air conditioning amenity. The comparable sold in December 2022 for \$115,000 or for \$61.30 per square foot of living area, including land. The subject's assessment reflects a market value of \$123,198 or \$86.21 per square foot of living area, including land, which is above the best comparable sale in this record and appears to be excessive when giving due consideration to the subject's smaller basement and lack of central air conditioning. In conclusion, based on this evidence and after considering

appropriate adjustments to the best comparable sale in the record when compared to the subject property, the Board finds a reduction in the subject's assessment is justified on grounds of overvaluation.

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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