



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

APPELLANT: Randall and Kimberly Wolf
DOCKET NO.: 23-03379.001-R-1
PARCEL NO.: 07-01-02-312-007-0000

The parties of record before the Property Tax Appeal Board are Randall and Kimberly Wolf, the appellants, by attorney David R. Bass, of Field and Goldberg, LLC 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 **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: \$121,701
IMPR.: \$324,921
TOTAL: \$446,622

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 2-story dwelling of brick and frame exterior construction with 5,201 square feet of living area. The dwelling was constructed in 2004 and is approximately 19 years old. Features of the home include a basement with finished area, central air conditioning, two fireplaces, a 3-car garage with 788 square feet of building area, an inground swimming pool, and a basketball court. The property has an approximately 30,928 square foot site and is located in Naperville, Wheatland Township, Will County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted an appraisal estimating the subject property had a market value of \$1,340,000 as of January 1, 2023. The appraisal was prepared by Beata P. Goczewski and Harry M. Fishman, certified general real estate appraisers, for ad valorem tax purposes.

Under the sales comparison approach the appraisers selected four comparable sales located within 0.5 of a mile from the subject. The parcels range in size from 12,600 to 16,553 square feet of land area and are improved with 2-story homes of brick or brick and frame exterior construction ranging in size from 4,417 to 5,216 square feet of living area. The dwellings range in age from 11 to 15 years old. Each home has a basement with finished area, central air conditioning, two or three fireplaces, and a 3-car or a 4-car garage. The comparables sold from August 2022 to April 2023 for prices ranging from \$1,117,500 to \$1,275,000 or from \$228.90 to \$266.52 per square foot of living area, including land. The appraisers made adjustments to the comparables for differences from the subject and for sale or financing concessions to arrive at adjusted prices ranging from \$1,294,000 to \$1,373,500. Based on this analysis, the appraisers concluded a value for the subject of \$1,340,000 as of January 1, 2023.

Based on this evidence, the appellants requested a reduction in the subject's assessment to reflect the appraised value conclusion.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$514,497. The subject's assessment reflects a market value of \$1,543,645 or \$296.80 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.¹

In support of its contention of the correct assessment the board of review submitted information on two comparable sales located within 0.06 of a mile from the subject. Comparable #2 has a 28,841 square foot site. The comparables are improved with 2-story homes of frame exterior construction with 5,217 or 5,402 square feet of living area. The dwellings were built in 2005 or 2008. Each home has a basement with finished area, central air conditioning, one or two fireplaces, and a 794 or a 896 square foot garage. The comparables sold in June and August 2021 for prices of \$1,500,000 and \$1,649,000 or \$277.67 and \$316.08 per square foot of living area, including land.

The board of review submitted a brief from the township assessor's office contending that the subject's subdivision contains 13 homes and that the subject has a double lot. It was asserted that the appraisal sales differ from the subject in lot size, location, dwelling size, lack of inground swimming pool amenity, whereas the board of review's comparables are located in the subject's subdivision, each has a double lot like the subject, the board of review's comparable #1 has an inground swimming pool like the subject, and the board of review's comparable #2 has an elevator unlike the subject. Based on this evidence, the board of review requested the subject's assessment be sustained.

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

¹ Section 1910.50(c)(1) of the Board's procedural rules 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. Adm. Code § 1910.50(c)(1). As of the development of this Final Administrative Decision, the Department of Revenue has not published figures for tax year 2023.

be proved by a preponderance of the evidence. 86 Ill.Adm.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.Adm.Code §1910.65(c). The Board finds the appellants met this burden of proof and a reduction in the subject's assessment is warranted.

The appellants presented an appraisal and the board of review presented two comparable sales in support of their respective positions before the Board. The Board gives less weight to the board of review's comparables as they sold less proximate in time to the assessment date than the sales presented in the appraisal.

The Board finds the best evidence of market value to be the appraisal submitted by the appellants. The appraisers selected properties that are similar to the subject in location, dwelling size, age, and features and sold proximate in time to the assessment date. The Board also finds the appraisers made reasonable adjustments to the comparables. The Board finds the subject property had a market value of \$1,340,000 as of the assessment date at issue. Based on this evidence, the Board finds a reduction in the subject's assessment commensurate with the appellants' request is 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: _____

December 17, 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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