



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

APPELLANT: Mark & Marian Jacob
DOCKET NO.: 23-03888.001-R-1
PARCEL NO.: 14-11-176-003

The parties of record before the Property Tax Appeal Board are Mark & Marian Jacob, the appellants, by Jessica Hill-Magiera, Attorney at Law in Lake Zurich; and the Kane 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 **Kane** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$27,699
IMPR.: \$125,093
TOTAL: \$152,792

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants timely filed the appeal from a decision of the Kane 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 cedar and brick exterior construction with 3,781 square feet of living area. The dwelling was constructed in 2004. Features of the home include a basement with finished area,¹ central air conditioning, a 640 square foot garage, a patio, and a porch. The property has an 11,761 square foot site and is located in Sugar Grove, Sugar Grove Township, Kane County.

The appellants' appeal is based on overvaluation. In support of this argument the appellants submitted evidence disclosing the subject property was purchased on April 7, 2022 for a price of \$451,500. The appellants completed Section IV of the appeal petition disclosing the sale was not

¹ The parties differ regarding the subject's basement finish. The Board finds the best evidence of basement finish is found in the board of review's evidence, which explains the subject's basement was finished and a patio added, after the subject's April 2022 sale. These contentions were not refuted by the appellants.

between related parties, the property sold using a realtor and was advertised with the Multiple Listing Service or 5 days, and the sale was not due to foreclosure or by contract for deed. In support of the sale, the appellants presented copies of a settlement statement indicating payment of realtors' commissions, a listing sheet, and a Real Estate Transfer Declaration indicating the property was advertised for sale. Based on this evidence, the appellants requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$152,792. The subject's assessment reflects a market value of \$458,422 or \$121.24 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.²

In support of its contention of the correct assessment the board of review submitted information on three comparable sales located within 0.25 of a mile from the subject. The parcels range in size from 10,454 to 11,761 square feet of land area and are improved with 2-story homes of vinyl and stone or brick exterior construction ranging in size from 2,737 to 4,381 square feet of living area. The dwellings were built in 2002 or 2005. Each home has a basement with finished area, one of which is a walkout, central air conditioning, a fireplace, a porch, one or two decks, and a garage ranging in size from 619 to 660 square feet of building area. Comparable #1 also has a patio. The comparables sold from August 2021 to September 2022 for prices ranging from \$410,000 to \$499,000 or from \$113.90 to \$164.41 per square foot of living area, land included.

The board of review submitted a brief contending that the subject sold with an unfinished basement as described in the listing sheet for this sale and that the subject's basement has been finished and a concrete patio added since the sale. The board of review argued the subject's sale price is not reflective of its market value as of the assessment date. 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 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The appellants presented evidence of an April 2022 sale of the subject and the board of review presented three comparable sales in support of their respective positions before the Board. The Board gives less weight to the subject's sale due to the fact finished basement area and a new patio were added to the subject property since its sale, indicating the sale price is not reflective of the subject's market value as of the assessment date at issue in this appeal. The Board also gives

² 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.

less weight to the board of review's comparable #2, which sold less proximate in time to the assessment date than the other sales in this record.

The Board finds the best evidence of market value in the record to be the board of review's comparables #1 and #3, which sold more proximate in time to the assessment date and are similar to the subject in age, location, site size, and features, but have varying degrees of similarity to the subject in dwelling size, suggesting adjustments to these comparables would be needed to make them more equivalent to the subject. These two comparables sold for prices of \$450,000 and \$499,000 or \$164.41 and \$113.90 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$458,422 or \$121.24 per square foot of living area, including land, which is bracketed by the best two comparable sales in this record. Based on this record and after considering appropriate adjustments to the best comparables for differences from the subject, the Board finds the subject's assessment is reflective of market value 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: _____

November 19, 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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