



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

APPELLANT: Amitabh Agrawal
DOCKET NO.: 23-03890.001-R-1
PARCEL NO.: 03-11-453-002

The parties of record before the Property Tax Appeal Board are Amitabh Agrawal, the appellant, 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: \$11,295
IMPR.: \$46,578
TOTAL: \$57,873

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant 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 1-story dwelling of frame and stone exterior construction with 960 square feet of living area. The dwelling was constructed in 1956. Features of the home include a concrete slab foundation, central air conditioning, and a 348 square foot garage. The property has an approximately 6,970 square foot site and is located in Carpentersville, Dundee Township, Kane County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on February 28, 2022 for a price of \$134,000. The appellant completed Section IV of the appeal petition disclosing the parties were not related, the property sold using a realtor and was advertised for sale through the Multiple Listing Service for 10 days, the sale was due to foreclosure, and the sale was not by contract for deed. In support of the sale, the appellant presented copies of a settlement statement

indicating payment of realtors' commissions and a listing sheet indicating the property was advertised for sale at an REO auction.

The appellant also submitted information on three comparable sales located within 0.97 of a mile from the subject. The comparables have 6,098 or 6,970 square foot sites that are improved with 1-story homes ranging in size from 960 to 1,008 square feet of living area. The dwellings were built in 1955 or 1957. Each home has a garage ranging in size from 308 to 496 square feet of building area and two homes each have central air conditioning. The comparables sold from June to September 2022 for prices ranging from \$135,000 to \$157,500 or from \$133.93 to \$164.06 per square foot of living area, land included.

Based on this evidence, the appellant 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 \$57,873. The subject's assessment reflects a market value of \$173,636 or \$180.87 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 nine comparable sales located within the same assessment neighborhood code as the subject, eight of which are located within 0.74 of a mile from the subject. The parcels range in size from 6,098 to 9,148 square feet of land area and are improved with 1-story homes of vinyl, aluminum, wood, vinyl and stone, vinyl and brick exterior construction. The homes range in size from 920 to 1,092 square feet of living area and were built from 1956 to 1961. Seven homes have central air conditioning, two homes each have a fireplace, and six homes have a garage ranging in size from 280 to 660 square feet of building area. The comparables sold from January to December 2022 for prices ranging from \$175,000 to \$213,500 or from \$182.29 to \$222.40 per square foot of living area, land included.

The board of review submitted a brief contending that the subject was in fair to poor condition at the time of its sale as demonstrated by listing photographs that were presented. Since the sale, the owners obtained a license to rent the property, indicating work was performed to improve the subject's condition before rental. Copies of an Application for Residential Rental Property and a Consent to Inspection dated October 11, 2022 were presented. The board of review further asserted the subject's assessment was reduced to reflect the sale price for the 2022 tax year. The board of review contended the township assessor contacted the owner to schedule an inspection but did not receive any response. The board of review argued the subject's assessment should reflect an average condition.

With regard to the appellant's comparables, the board of review contended these properties differ from the subject in their location on a busy road and/or their condition. The board of review

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.

examined rental properties within 0.5 of a mile from the subject, with rents ranging from \$1,500 to \$1,750 and gross rent multipliers from 99.43 to 109.68 to arrive at a market rent of \$1,700 for the subject and a median GRM of 109.68, from which the board of review calculated a value of \$186,456 for the subject. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

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.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 appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

As an initial matter the board of review has raised the issue of the subject's condition as of the assessment date. The board of review contended that the subject's condition had been improved since its February 2022 and before applying to use the property as a rental in October 2022. These contentions were not refuted by the appellant. Thus, the Board shall consider the subject's condition to be average as of the assessment date.

The record contains evidence of a February 2022 sale of the subject and twelve comparable sales for the Board's consideration. The Board gave less weight to the subject's sale due to the fact the evidence demonstrates the subject was not in the same condition as of the assessment date as it was at the time of its sale. The Board also gives less weight to the appellant's comparables, which the board of review demonstrated were in an inferior condition or location compared to the subject, which was not refuted by the appellant. The Board gives less weight to the board of review's comparables #1, #6, and #7, which each lack a garage that is a feature of the subject.

The Board finds the best evidence of market value in the record to be the board of review's comparables #2, #3, #4, #5, #8, and #9, which sold proximate in time to the assessment date and are more similar to the subject in dwelling size, age, location, condition, site size, and most features, although one home lacks central air conditioning that is a feature of the subject and four homes have much larger garages than the subject, suggesting adjustments to these comparables would be needed to make them more equivalent to the subject. These comparables sold for prices ranging from \$177,500 to \$213,500 or from \$183.15 to \$222.40 per square foot of living area, including land. The subject's assessment reflects a market value of \$173,636 or \$180.87 per square foot of living area, including land, which is below the range established by the best 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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