



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

APPELLANT: Steven & Dawn Wasowicz
DOCKET NO.: 13-00652.001-R-1
PARCEL NO.: 15-08-27-403-004-0000

The parties of record before the Property Tax Appeal Board are Steven & Dawn Wasowicz, the appellants,¹ 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: \$24,896
IMPR.: \$80,166
TOTAL: \$105,062

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 2013 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 part one-story and part two-story dwelling of frame and masonry construction with 2,586 square feet of living area. The dwelling was constructed in 1991. Features of the home include a basement, central air conditioning, a fireplace and a 756 square foot garage. The property has a 53,700 square foot site and is located in New Lenox, New Lenox Township, Will County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on nine comparable sales located from 2.4 to 3-miles from the subject property. The comparables consist of two-story frame, brick or frame and brick dwellings that range in age from 16 to 30 years old, except the age of comparable #4 was unknown. The comparables range in size from 968 to 1,064 square feet of living area and feature full basements with finished area. Each home has central air conditioning and a one-car

¹ Attorney Jerri K. Bush withdrew her appearance for the appellant by a filing dated March 21, 2016.

garage. The properties sold between March 2012 and June 2013 for prices ranging from \$70,000 to \$112,000 or from \$65.79 to \$105.26 per square foot of living area, including land.

Based on this evidence, the appellants requested a total assessment of \$78,992 which would reflect a market value of approximately \$236,976 or \$91.64 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 \$105,062. The subject's assessment reflects a market value of \$316,547 or \$122.41 per square foot of living area, land included, when using the 2013 three year average median level of assessment for Will County of 33.19% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information prepared by the New Lenox Township Assessor on three equity comparables. The comparables are noted as two-story dwellings that range in size from 2,520 to 2,876 square feet of living area. The data reflects improvement assessments ranging from \$62,620 to \$83,263 or from \$24.85 to \$31.53 per square foot of living area. There is a handwritten notation that comparable #3, which contains 2,876 square feet of living area, sold in July 2011 for \$285,000 or \$99.10 per square foot of living area, including land.

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

In written rebuttal, former counsel for the appellants noted that the board of review provided equity data in response to the appellants' overvaluation argument. To the extent, that there is one sale from July 2011 presented by the board of review, counsel argued a remote sale should be given less weight as of the valuation date at issue of January 1, 2013, particularly where the appellants' sales were more proximate to the assessment date.

Conclusion of Law

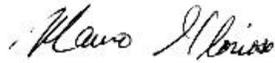
The appellants contend the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted a total of ten comparable sales to support their respective positions before the Property Tax Appeal Board. The comparables presented by the appellant were dissimilar to the subject in dwelling size and have been given no weight by the Property Tax Appeal Board.

The Board finds the best evidence of market value to be board of review comparable sale #3. While the sale is somewhat remote in time to the valuation date at issue, this is the only sale in the record which is similar to the subject property in dwelling size. This most similar comparable from the board of review contains 2,876 square feet of living area and sold in July

2011 for \$285,000 or \$99.10 per square foot of living area, including land. The subject's assessment reflects a market value of \$316,547 or \$122.41 per square foot of living area, including land, which is above the best comparable sale in the record, but justified by the fact that the subject is smaller than this most similar comparable. Accepted real estate valuation theory provides that all factors being equal, as the size of the property increases, the per unit value decreases. In contrast, as the size of a property decreases, the per unit value increases. Based on the limited comparable market value evidence in this record, the Board finds 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.



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: July 22, 2016



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 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 the subsequent year 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.

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.