



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

APPELLANT: Michael & Jennifer Servini
DOCKET NO.: 22-02613.001-R-1
PARCEL NO.: 05-01-373-006

The parties of record before the Property Tax Appeal Board are Michael & Jennifer Servini, 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 ***a reduction*** 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: \$32,035
IMPR.: \$106,920
TOTAL: \$138,955

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 2022 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 with 3,146 square feet of living area. The dwelling was built in 2018. The home features an unfinished basement, central air conditioning, a fireplace, and a 1,020 square foot garage. The property has an approximately 0.22-acre site and is located in Elgin, Plato Township, Kane County.

The appellants contend inequity in assessment with regard to the improvement (building) as the basis of the appeal. In support of this argument, the appellants submitted a grid analysis of three equity comparables located within .13 of a mile from the subject and with varying degrees of similarity to the subject property. The Board takes judicial notice that the subject property was the subject matter of an appeal before the Property Tax Appeal Board the prior year under Docket Number 21-05613.001-R-1. In that appeal, the Property Tax Appeal Board rendered a

decision lowering the total assessment of the subject property to \$134,243 based on the evidence in the record.

The appellants disclosed in the appeal form that the subject property is an owner-occupied residence. Based on the aforementioned evidence, the appellants requested a reduction in the subject property's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$158,047. The subject has an improvement assessment of \$126,012 or \$40.05 per square foot of living area. The board of review also disclosed that 2019 was the first year of the General Assessment Cycle in Kane County which runs through the 2022 tax year and that a township equalization factor of 1.0351 was applied in the 2022 tax year.

In support of its contention of the correct assessment, the board of review submitted information on three equity comparables located within .21 of a mile from the subject property and have varying degrees of similarity to the subject. Based on the evidence submitted, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The subject property was the subject matter of an appeal before the Property Tax Appeal Board the prior year under Docket Number 21-05613.001-R-1. In that appeal, the Property Tax Appeal Board rendered a decision lowering the total assessment of the subject property to \$134,243 based on the evidence in the record. The issue on appeal is whether the assessment of the subject property as established by the Property Tax Appeal Board for the 2021 tax year should be carried forward to the 2022 tax year pursuant to section 16-185 of the Property Tax Code. (35 ILCS 200/16-185).

Section 16-185 of the Property Tax Code (35 ILCS 200/16-185) states in part:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, **shall remain in effect for the remainder of the general assessment period** as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review. [Emphasis added].

The Property Tax Appeal Board finds that the assessment as established by the Board for the 2021 tax year should be carried forward to the 2022 tax year subject only to equalization as provided by section 16-185 of the Property Tax Code (35 ILCS 200/16-185). The evidence in the record indicates that the subject property is an owner-occupied dwelling and that the 2021 and 2022 tax years are within the same general assessment period in Kane County. The record contains no evidence indicating the subject property sold in an arm's length transaction after the Board's decision or that the decision of the Property Tax Appeal Board has been reversed or

modified upon review. The record also disclosed that a township equalization factor of 1.0351 was applied in 2022.

For these reasons, the Property Tax Appeal Board finds that a reduction in the subject's assessment is warranted to reflect the Board's prior year's decision plus the application of an equalization factor of 1.0351.¹

¹ \$134,243 x 1.0351 = \$138,955.

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:

September 19, 2023



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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COUNTY

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