



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

APPELLANT: Ramesh Ajwani
DOCKET NO.: 07-00126.001-R-1
PARCEL NO.: 19-09-30-204-011-0000

The parties of record before the Property Tax Appeal Board are Ramesh Ajwani, the appellant; and the Will County Board of Review.

Based on the facts and exhibits presented, 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: \$21,680
IMPR.: \$92,286
TOTAL: \$113,966

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a ten year-old, two-story style brick and frame dwelling that contains 2,472 square feet of living area. Features of the home include central air conditioning, a fireplace, a two-car garage and a full basement.

The appellant appeared before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal of the subject wherein the appraiser estimated the subject's market value as of January 30, 2008 to be \$290,000. The appraiser, who was not present at the hearing to provide testimony regarding his preparation of the report or be cross examined, utilized the replacement cost and sales comparison approaches to value. In the cost approach, the appraiser estimated the subject's lot value at \$75,000, based on extraction from improved sales, comparables, multiple listings and county records. In determining replacement cost of the subject's improvements, the appraiser relied on "local retail costs and published cost

guides", which were not specified. The appraiser calculated replacement cost at \$252,200, from which he subtracted depreciation of \$50,000, using the effective age vs. economic life method. The appraiser then added site improvements of \$14,000 and the lot value to derive an indicated value by the cost approach of \$290,200.

In the sales comparison approach, the appraiser examined three comparables located in the same subdivision or one to two miles from the subject. The comparables were described as equal in design and appeal when compared to the subject, but photographs of the comparables depict comparable two as being a one-story home. The comparables range in age from 6 to 27 years and range in size from 2,221 to 3,400 square feet of living area. Features of the comparables include central air conditioning, two-car garages and full or partial basements, one of which was described as 50% finished. One comparable was reported to have two fireplaces, one was similar and one has an enclosed porch. The comparables sold between July of 2006 and January 2008 for prices ranging from \$270,000 to \$360,000 or from \$105.88 to \$121.57 per square foot of living area including land. The appraiser adjusted the comparables for such factors as site, age, gross living area, basement size and finish and amenities. After adjustments, the comparables had adjusted sales prices ranging from \$272,000 to \$302,000 or from \$80.00 to \$132.82 per square foot of living area including land, resulting in an estimate for the subject by the sales comparison approach of \$290,000.

In his reconciliation, the appraiser stated he put "most weight on the middle of the range, due to the slower market with longer holding times." Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal", wherein the subject property's total assessment of \$113,966 was disclosed. The subject has an estimated market value of \$356,144 or \$144.07 per square foot of living area including land, as reflected by its assessment and Will County's 2007 three-year median level of assessments of 32.00%.

In support of the subject's assessment, the board of review submitted a letter prepared by the township assessor, property record cards and a grid analysis of three comparable sales located in the subject's subdivision. The board of review's comparable 2 is the same property as the appellant's comparable 3. The board of review's comparable 1 is next door to the subject and comparables 2 and 3 are two blocks and one block from the subject, respectively. The comparables consist of two-story brick and frame homes that range in age from 20 to 24 years and range in size from 2,184 to 2,734 square feet of living area. Features of the comparables include central air conditioning, one or two fireplaces, two-car garages and full or partial basements. These properties sold between August 2005 and August 2006 for

prices ranging from \$344,900 to \$380,000 or from \$136.04 to \$157.92 per square foot of living area including land. In his letter, the township assessor stated the appellant's comparable two is a one-story home located in another township. The board of review's grid, supported by property record cards, depicts the board's comparable 2 as containing 2,628 square feet of living area, not 3,400 square feet as described in the appellant's appraisal. Based on this evidence, the board of review requested the subject's assessment be confirmed.

During the hearing, the board of review's representative objected to the appellant's appraiser's absence from the hearing, preventing cross examination. The board of review then called the deputy township assessor as a witness. This witness testified the appellant's appraiser used inconsistent adjustments and that the appraisal lien date is more than a year after the subject's assessment date of January 1, 2007.

After hearing the testimony and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Property Tax Appeal Board further finds no reduction in the subject property's assessment is warranted. The appellant argued overvaluation as a basis of the appeal. When market value is the basis of the appeal, the value must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3rd Dist. 2002). After analyzing the market evidence submitted, the Board finds the appellant has failed to overcome this burden.

The Board finds the appellant submitted an appraisal of the subject property wherein the appraiser estimated the subject's market value at \$290,000. However, the Board also finds the appraisal's lien date was more than a year after the subject's assessment date and that the appraiser was not present at the hearing to explain his report or be cross examined. Therefore, the Property Tax Appeal Board gives no weight to the appraiser's opinion of value, but will consider the raw sales data in the appraisal.

The Board gave less weight to the appellant's comparable two because it was a one-story dwelling, dissimilar to the subject's two-story design, and was located two miles from the subject in a different township. The Board also gave less weight to the appellant's comparable 1 because it differed significantly in age and location when compared to the subject. The Board finds the appellant's comparable 3 (same property as the board of review's comparable 2) and the board of review's comparables 1 and 3 were similar to the subject in terms of design, exterior construction, age, size and amenities. These properties sold for prices ranging from \$121.57 to \$157.92 per square foot of living area including land. The subject's estimated market value as reflected by its assessment of \$144.07 per square foot of living

area including land falls within the range of the most similar comparable sales in the record.

Based on this analysis, the Property Tax Appeal Board finds the appellant failed to prove overvaluation by a preponderance of the evidence and the subject's assessment as determined by the board of review is correct and no reduction is warranted.

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.

Donald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario Morris

Member

Shawn R. Lerbis

Member

DISSENTING: _____

C E R T I F I C A T I O N

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: October 28, 2009

Allen Castrovillari

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.