



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

APPELLANT: Ricardo & Ruby B. Saucedo
DOCKET NO.: 07-00727.001-R-1
PARCEL NO.: 07-01-22-101-105-0000

The parties of record before the Property Tax Appeal Board are Ricardo & Ruby B. Saucedo, the appellants, 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: \$36,670
IMPR.: \$131,187
TOTAL: \$167,857

Subject only to the State multiplier as applicable.

ANALYSIS

The subject parcel of 11,200 square feet is improved with a 9-year old, two-story dwelling of frame¹ construction containing 2,962 square feet of living area. Features of the home include a full, unfinished basement, central air conditioning, a fireplace, and a three-car attached garage of 630 square feet of building area. The property is located in Naperville, Wheatland Township, Will County.

The initial issue raised on this appeal is the dwelling size of the subject property. Appellants report the assessor's records indicate the subject contains 2,995 or 2,955 square feet of living area (there are two figures used in the documentation). The board of review through a letter submitted by the Wheatland Township Assessor indicated that the appellants disputed the assessor's records that the dwelling contained 3,355 square feet

¹ Although appellants report the subject is "brick front, 3-side aluminum," the assessing officials describe the subject and similarly described properties as "frame."

of living area; as a consequence of that dispute, the dwelling was re-measured and the size was corrected in the assessor's records to 2,962 square feet of living area. As a consequence of the change in size, the improvement assessment was reduced from \$169,080 to \$167,857 and a Will County Board of Review Notice of Final Decision was issued.² Appellants' only dwelling size evidence is that comparable #1 is purportedly the "exact model home" as the subject and its recorded square footage is 2,558 square feet.

The appellants' appeal is based on overvaluation of the subject property and appellants have contested both the land assessment and the improvement assessment of the subject property. In support of this market value argument, the appellants submitted a grid analysis of three comparable improved properties said to be located from .2 to .4-miles from the subject.

The comparable parcels range in size from 11,200 to 14,000 square feet of land area. These three parcels have been improved with two-story frame dwellings that were 8 or 10 years old. The comparables range in size from 2,558 to 2,832 square feet of living area. Two comparables have full basements, one of which is finished; comparable #3 may have a partial basement of 360 square feet of building area based on the documents submitted. Each comparable has central air conditioning, a fireplace and a garage ranging in size from 250 to 640 square feet of building area. At the time the appeal was filed in February 2008, comparable #1 had an asking price of \$469,900 or \$183.70 per square foot of living area, land included, and comparables #2 and #3 sold in October and November 2007 for \$451,000 and \$460,600 or for \$162.64 and \$174.81 per square foot of living area, including land.

Appellants also contend that the increase in the subject's assessment from 2006 to 2007 of about 15.2% was not justifiable given that "last year was not a good year in the housing industry." Based on this evidence, the appellants requested a reduction in the subject's total assessment to reflect the subject's 2006 assessment of \$145,691 or a fair market value of approximately \$437,073 or \$147.56 per square foot of living area, land included.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$167,857 was disclosed. The subject's assessment reflects an estimated market value of \$502,566 or \$169.67 per square foot of living area, land included, using the 2007 three-year median level of assessments for Will County of 33.40%.

In support of the subject's assessment, the board of review through the township assessor presented descriptions and sales data on six comparable properties located in the same

² The appellants filed an appeal from that Notice.

neighborhood code assigned by the assessor as the subject; board of review comparable #1 is appellants' comparable #2, but the dwelling size is reported by the assessor as 2,957 square feet of living area rather than 2,832 square feet as reported by the appellants from a website of the Will County Supervisor of Assessments. The comparables consist of two-story frame dwellings that range in age from 8 to 14 years old. The dwellings range in size from 2,918 to 2,988 square feet of living area. Features include full basements, one of which has finished area, central air conditioning, and two-car or three-car garages. Five comparables have a fireplace. These comparables sold between July 2005 and October 2007 for prices ranging from \$460,600 to \$510,000 or from \$155.76 to \$173.46 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's estimated market value as reflected by its assessment.

After reviewing the record 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 Board further finds a reduction in the subject's assessment is not warranted.

As to the dwelling size, in the absence of other substantive data from the appellants that they measured the property, the Board finds the best evidence in the record was presented by the township assessor that the dwelling when recently re-measured contains 2,962 square feet of living area.

The appellants contend the assessment of the subject property is excessive and not reflective of its market value. When market value is the basis of the appeal the value of the property 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). The Board finds the evidence in the record does not support a reduction in the subject's assessment.

The parties submitted a total of eight comparable sales or listings for the Board's consideration. The Board finds the comparables submitted by both parties were similar to the subject in size, design, exterior construction, location, amenities and/or age. The comparables sold or were listed between July 2005 and February 2008 for prices ranging from \$155.76 to \$183.70 per square foot of living area, including land. The subject's assessment reflects a market value of approximately \$502,566 or \$169.67 per square foot of living area, including land, using the three-year median level of assessments for Will County of 33.40%. The Board finds the subject's assessment reflects a market value that falls within the range established by the most similar comparables on a per square foot basis.

The appellants also argued that the subject was overvalued because the percentage increase in its assessment from 2006 to 2006 was not justified. The Property Tax Appeal Board finds this type of analysis is not an accurate measurement or a persuasive

indicator to demonstrate overvaluation of a property by a preponderance of the evidence. The Board finds rising or falling assessments from year to year on a percentage basis do not indicate whether a particular property is properly assessed. The Board further finds assessors and boards of review are required by the Property Tax Code to revise and correct real property assessments, annually if necessary, that reflect fair market value, maintain uniformity of assessments, and are fair and just. This may result in many properties having increased or decreased assessments from year to year of varying amounts and percentage rates depending on prevailing market conditions and prior year's assessments. As was shown by the appellants' evidence, the properties in the subject's area had sales or listing prices ranging from \$162.64 to \$183.70 per square foot of living area, including land, but the appellants were contending that the subject had a market value equivalent to \$147.56 per square foot of living area, land included, less on a per-square-foot basis than any of the similar properties presented.

After considering the most comparable sales on this record, the Board finds the appellants did not demonstrate the subject property's assessment to be excessive in relation to its market value and a reduction in the subject's assessment is not warranted on this record.

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.

Ronald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario M. Louie

Member

Shawn R. Lerski

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: July 23, 2010

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.