



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

APPELLANT: David & Carol Ballantine
DOCKET NO.: 08-00112.001-R-1
PARCEL NO.: 05-06-17-201-022-0000

The parties of record before the Property Tax Appeal Board are David & Carol Ballantine, 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: \$29,302
IMPR: \$87,647
TOTAL: \$116,949

Subject only to the State multiplier as applicable.

ANALYSIS

The subject parcel of 24,400 square feet of land area is improved with a 12-year old, one and one-half-story brick and frame single-family dwelling containing 3,080 square feet of living area.¹ Features include a full unfinished basement, central air conditioning, two fireplaces, a three-season room, and a three-car attached garage. The property is located in Shorewood, Troy Township, Will County.

The appellants contend that the market value of the subject property is not accurately reflected in the property's assessed valuation as the basis of this appeal. In support of the market value argument, the appellants submitted an appraisal prepared by Melissa Diehl and supervised by Ron Mueller, both of Mueller Appraisal Services in Minooka. The appraisal was prepared for the lender/client for purposes of a refinance transaction. The appraiser used the sales comparison approach to value.

¹ The appellants' appraiser reported a dwelling size of 3,080 square feet with a schematic depicting a second story area. The board of review included a copy of the property record card which reports a dwelling size of 2,731 square feet of living area, but no second story area.

In the sales comparison approach, the appraiser analyzed four sales which were located from .16 to 1.58-miles from the subject property. The appraiser noted the subject was originally a larger ranch home which was expanded by adding two rooms on the second floor. The appraiser also noted the subject offers more square footage than all comparables in the subdivision, thus both a ranch and a two-story from the subject's subdivision were included in the analysis. Sale #2 was of a newer home located in a competing subdivision and thus was presented as a ranch home with a finished loft with similar size to the subject, but Sale #2 had superior upgrades and was adjusted for condition.

The comparable parcels ranged in size from 12,000 to 27,300 square feet of land area and were improved with a ranch with loft, a step ranch, and two, two-story dwellings of brick and frame or brick, stone and frame exterior construction. The comparables range in age from 1 to 18 years old and range in size from 2,163 to 3,046 square feet of living area. Each comparable has a full basement, one of which is fully finished and one of which is partially finished. Each dwelling has central air conditioning, a fireplace, and a two-car or a three-car garage. One comparable also has a sun room. The comparables sold between December 2007 and November 2008 for prices ranging from \$295,000 to \$333,000 or from \$107.40 to \$136.38 per square foot of living area including land.

The appraiser adjusted the comparables for financing concessions and for differences in lot size, condition, dwelling size, basement finish and other amenities. From this process, the appraiser determined adjusted sale prices for the comparables ranging from \$323,625 to \$332,518 or from \$107.86 to \$153.73 per square foot of living area including land. From this data, the appraiser estimated that the subject property had a market value of \$325,000 as of December 3, 2008

Based on this evidence, the appellants requested a reduction in the subject's total assessment to \$108,333 which would reflect a market value of approximately \$325,000 or \$105.52 per square foot of living area including land.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$116,949 was disclosed. The subject's assessment reflects a market value of approximately \$351,832 or \$128.83 per square foot of living area including land using the 2008 three year median level of assessments for Will County of 33.24% and the board of review's size determination of 2,731 square feet of living area for the subject dwelling.

The property record card for the subject has a schematic drawing that reflects a one-story dwelling without any second story addition and/or loft as described in the appraisal. Moreover, the property record card reflects a dwelling size of 2,731 square feet, but with various building permits that were issued, including one in 2002 for "room add'n."

In support of the subject's assessment, the board of review submitted a grid of three sales from the subject's Hunt Club subdivision. The properties were improved with one-story dwellings of frame or frame and masonry construction that were built in 1992 or 1996. The comparables ranged in size from 1,765 to 2,237 square feet of living area. These comparables have full basements, central air conditioning, a fireplace, and a garage of either 504 or 764 square feet of building area. The properties sold between January and August 2007 for prices ranging from \$298,000 to \$324,000 or from \$138.58 to \$181.17 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 considering the evidence and reviewing the record, 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 finds the best description of the subject dwelling was presented by the appellant's appraiser who reported the dwelling size and description in the schematic along with a certification that the property was inspected December 3, 2008. While the property record card for the subject reflects a building permit in 2002 for "room add'n, patio" there is no indication of the last time the property was inspected by the assessing officials. Therefore, the Board finds the subject dwelling is best described on this record as a one and one-half-story dwelling containing 3,080 square feet of living area.

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); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2nd Dist. 2000). Proof of market value may consist of an appraisal, a recent arm's length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. 86 Ill.Admin.Code Sec. 1910.65(c). Having considered the evidence presented, the Property Tax Appeal Board finds that the evidence indicates a reduction is not warranted.

The subject's assessment reflects an estimated market value of \$351,832 or \$114.23 per square foot of living area including land based on a dwelling size of 3,080 square feet. The appellants' appraiser in the sales comparison approach found after adjustments that the comparables sold for prices ranging from \$107.86 to \$153.73 per square foot of living area including land. Given that range of adjusted sale prices, the appraiser determined the subject property had an estimated market value as of December 3, 2008 of \$325,000 or \$105.52 per square foot of living area including land which is below the range of the most similar adjusted sales comparables set forth in the appraisal. However, the subject's estimated market value as reflected by its

assessment of \$114.23 per square foot of living area including land is within the range of the adjusted sales comparables in the appraisal and below the range of the comparable sales on a per-square-foot basis in the subject's subdivision which were presented by the board of review.

Therefore, the Property Tax Appeal Board finds that the subject's assessment accurately reflects its estimated market value based both on the appellants' appraisal and based on the comparable sales presented by the board of review. Thus, the subject's assessment 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 P. 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: April 22, 2011

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.