



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

APPELLANT: Louis Bodie
DOCKET NO.: 08-00113.001-R-1
PARCEL NO.: 07-01-05-104-083-1003

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

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction 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: \$17,700
IMPR.: \$34,300
TOTAL: \$52,000**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a two-story frame townhouse containing 1,091 square feet of living area that was built in 2000. Features include a 290 square foot finished basement, central air conditioning and a 370 square foot attached garage.

The appellant appeared before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of the overvaluation argument, the appellant submitted photographs property record cards, Multiple Listing Sheets (MLS) and a grid analysis of four suggested comparable sales located in close proximity to the subject. The comparables consist of two-story frame townhouses that were built in 1999 or 2000. The comparables have 290 square foot finished basements, central air conditioning and 370 square foot attached garages. The dwellings range in size from 1,091 to 1,175 square feet of living area. They sold from February 2007 to August 2008 for prices ranging from \$155,000 to \$168,000 or from \$133.62 to \$153.99 per square foot of living area including land. 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's assessment of \$56,810 was disclosed. The subject's assessment reflects an estimated market value of \$170,909 or \$156.65 per square foot of living area including land using Will County's 2008 three-year median level of assessments of 33.24%.

In support of the subject's assessed valuation, the board of review submitted property record cards, a location map and a market analysis detailing four comparable sales located in close proximity within the subject's subdivision. One comparable was also used by the appellant. The comparables consist of two-story or three-story townhomes that were built in 1999 or 2000. The comparables have 290 square foot finished basements, central air conditioning and 370 square foot attached garages. The dwellings contain 1,091 square feet of living area. They sold from June 2005 to July 2008 for prices ranging from \$155,000 to \$193,000 or from \$142.07 to \$176.90 per square foot of living area including land. Based on this evidence, the board of review requested confirmation of the subject's assessed valuation.

In rebuttal, the appellant argued three comparables submitted by the board of review are different model types and are superior end units that have additional third levels, which are not reflected in their dwelling sizes.

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 Board further finds a reduction in the subject's assessment is warranted.

The appellant argued the subject property is overvalued. When market value is the basis of the appeal, the value must be proved by a preponderance of the evidence. Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill. App. 3d 179, 183, 728 N.E.2d 1256 (2nd Dist. 2000). After an analysis of the evidence, the Board finds the appellant has not overcome this burden.

The parties submitted five suggested comparable sales to support their respective positions regarding the subject's correct assessment. The Property Tax Appeal Board gave less weight to the three comparables submitted by the board of review. These properties sold in 2005 and are not considered indicative of the subject's fair market value as of the January 1, 2008 assessment date at issue in this appeal.

The Property Tax Appeal Board finds comparable 2 submitted by the board of review and the comparables submitted by the appellant are most representative, if not identical, to the subject in location, age, size, design and features. They sold from February 2007 to August 2008 for prices ranging from \$155,000 to \$168,000 or from \$133.62 to \$153.99 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$170,909 or \$156.65 per square foot of

living area including land, which falls above the range established by the most similar comparable sales in this record. After considering adjustments to the most similar comparables for any differences when compared to the subject, the Property Tax Appeal Board finds the subject's assessed valuation is excessive and a reduction is warranted.

Based on this analysis, the Property Tax Appeal Board finds the appellant has demonstrated the subject property is overvalued by a preponderance of the evidence. Therefore, the Board finds the subject's assessment as established by the board of review is incorrect and a 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.

Ronald R. Guit

Chairman

Member

Mark Morris

Member

Member

William 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: September 24, 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.