



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

APPELLANT: John Beck
DOCKET NO.: 08-02279.001-R-1
PARCEL NO.: 03-04-201-019

The parties of record before the Property Tax Appeal Board are John Beck, the appellant, and the Kane 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 Kane County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$ 27,293
IMPR.: \$ 87,550
TOTAL: \$ 114,843

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story dwelling of frame construction containing 2,576 square feet of living area. The dwelling is 25 years old. Features of the home include a full basement that is partially finished, central air conditioning, two fireplaces, and a two and one-half car garage. The subject property has a parcel of 18,731 square feet and is located in Algonquin, Dundee Township, Kane County.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of the overvaluation argument, the appellant submitted four suggested comparable sales. Three of the comparables are said to be located from one-half block to three blocks from the subject. The comparables are two-story frame dwellings that are from 21 to 25 years old. They contain from 2,324 to 2,848 square feet of living area. Each comparable has a full basement, a garage, central air conditioning, and a fireplace. The comparables sold from March 2005 to August 2008 for prices that ranged from \$287,000 to \$360,000 or from \$123.50 to \$143.72 per square foot of living area, land included. Based on this evidence, the appellant requested that the subject's total assessment be reduced.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$124,882 was

disclosed. The subject's assessment reflects a market value of \$375,359 or \$145.71 per square foot of living area using the 2008 three-year average median level of assessments for Kane County of 33.27% as determined by the Illinois Department of Revenue.

The board of review submitted an analysis prepared by the township assessor. The township assessor analyzed the appellant's comparables and indicated that the appellant's comparable sale #4 was a foreclosure. The township assessor also selected three comparable sale properties for analysis. The three comparable sales are two-story frame dwellings that are located in the same subdivision as the subject property. The dwellings were built from 1985 to 1987 and contain either 2,498 or 2,602 square feet of living area. Each comparable has a full basement, central air conditioning, a fireplace, and a garage. These properties have parcels that range from 18,240 to 38,332 square feet. The comparable properties sold from March 2006 to June 2007 for prices that ranged from \$352,900 to \$405,000 or from \$142.20 to \$162.13 per square foot of living area, land included. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After reviewing the record and considering the evidence, the Board finds it has jurisdiction over the parties and the subject matter of the appeal. The Board further finds the evidence in the record supports a reduction in the subject's assessment.

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. 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). Proof of market value may consist of an appraisal of the subject property, a recent sale of the subject property or comparable sales. (86 Ill.Admin.Code 1910.65(c)). After an analysis of the evidence in the record, the Board finds a reduction in the subject's assessment is warranted.

In this appeal, the parties submitted evidence of seven comparable sales. The Board gave no weight to the appellant's comparables #1 and #4. These comparables sold in March and July 2005, which was over two years prior to the assessment date at issue. The Board also gave no weight to the township assessor's comparable #3 which sold in March 2006. This comparable's sale date was almost two years prior to the January 1, 2008 assessment date.

The Board finds that the appellant's comparable sale #2 and the township assessor's comparable sale #1 were the best evidence of market value in the record. These comparables were very similar to the subject in size, age, design, and exterior construction. These comparables sold in June 2007, six months prior to the January 1, 2008 assessment date, for prices of \$360,000 and

\$370,000, or of \$126.40 and \$142.20 per square foot of living area, land included, respectively.

The Board also considered the township assessor's comparable sale #2 and the appellant's comparable sale #4. According to the township assessor, the sale of the appellant's comparable #4 came after a foreclosure. These comparable properties sold in January 2007 and August 2008 for prices of \$352,900 and \$287,000, or of \$135.63 and \$123.49 per square foot of living area, land included, respectively. However, these sales were not as proximate in time to the assessment date at issue as the previously identified sales, and these comparable sales received reduced weight in the Board's analysis.

The subject has a total assessment of \$124,882, which reflects a market value of \$375,359 or \$145.71 per square foot of living area using the 2008 three-year average median level of assessments for Kane County of 33.27% as determined by the Illinois Department of Revenue. The subject's assessment reflects a market value above the range of the best sales in the record. Based on the evidence contained in the record, the Board finds a reduction in the subject's assessment is justified.

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 Morris

Member

J. R.

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 20, 2012

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.