



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

APPELLANT: Xinyue Song
DOCKET NO.: 08-02461.001-R-1
PARCEL NO.: 14-25-428-004

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

LAND: \$ 29,848
IMPR.: \$ 59,326
TOTAL: \$ 89,174

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story dwelling of frame construction containing 2,177 square feet of living area. The dwelling is nine years old. Features of the home include a full unfinished basement, central air conditioning, a fireplace, and a two-car attached garage. The subject property has a parcel of 10,018.8 square feet and is located in Aurora, Sugar Grove 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 0.1 to 0.3 mile from the subject. The comparables are two-story masonry dwellings that are from five to nine years old. They contain from 1,688 to 3,022 square feet of living area. Each has a garage, central air conditioning, and one has a fireplace. Information on basements was not provided. The comparables sold from October 2001 to October 2009 for prices that ranged from \$176,300 to \$222,160 or from \$59.56 to \$104.44 per square foot of living area, land included. The appellant also indicated that the subject property was sold in December 2001 for \$205,000 or for \$94.17 per square foot of living area, land included. Based on this evidence, the appellant requested that the subject's total assessment be reduced to \$82,778 or \$38.02.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$89,174 was disclosed. The subject's assessment reflects a market value of \$276,337 or \$126.93 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 selected seven comparable sale properties. One of the comparable sales is located on the same block as the subject property; two others are located on the same street; and the other four comparables, based on their parcel index numbers, are located nearby. The comparable dwellings are two-story frame dwellings that contain from 2,156 to 2,442 square feet of living area. The dwellings are either eight or nine years old. Six comparables have central air conditioning; four have a fireplace; and each has a two-car attached garage. Two dwellings have full unfinished basements, and five have partial unfinished basements. Six of the comparable properties have parcels that range from 8,349 to 11,325.6 square feet. The size of one comparable's parcel was not disclosed.¹ The comparable properties sold from June 2005 to September 2007 for prices that ranged from \$245,000 to \$297,900 or from \$113.37 to \$134.25 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 does not support 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 not warranted.

In this appeal, the parties submitted evidence of eleven comparable sales. The appellant's comparable #1 sold in October 2001, and comparable sales #2 through #4 sold from May to October 2009, which was more than 16 months after the January 1, 2008

¹ The township assessor noted that comparable property #6 was located along railroad tracks and had a land assessment of \$22,388, which was 25% less than the land assessment of the other six comparables. Comparable #6 was located in the same block as the subject property.

assessment date. In addition, the appellant's comparables differed from the subject in exterior construction, and comparables #3 and #4 were significantly dissimilar in size. As a result, the Board gave no weight to the appellant's comparable sales. The township assessor's comparables #1, #2, and #5 sold in June or November 2005. Their sale dates were more than two years prior to the assessment date at issue. As a result, these comparables also received reduced weight. The Board finds that the township assessor's comparables #3, #4, #6, and #7 are the best evidence of market value in the record. These comparables were very similar to the subject in age, design, and exterior construction, and three of these comparables were very similar in size. These comparables sold from October 2006 to September 2007 for prices that ranged from \$263,000 to \$290,000, or from \$116.91 to \$134.20 per square foot of living area, land included. These sales were most proximate in time to the assessment date at issue. The subject has a total assessment of \$89,174, which reflects a market value of \$276,337 or \$126.93 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 within the range of the best sales in the record. Based on the evidence contained in the record, the Board finds no change in the 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.

Donald 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: March 23, 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.