



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

APPELLANT: James Trudeau
DOCKET NO.: 08-02493.001-R-1
PARCEL NO.: 09-26-102-003

The parties of record before the Property Tax Appeal Board are James Trudeau, 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: \$39,996
IMPR: \$73,122
TOTAL: \$113,118

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 16,439 square foot parcel improved with a part one-story and part two-story dwelling of frame and brick construction. The subject was built in 1972, contains 2,848 square feet of living area and features a crawl space foundation, air conditioning, a fireplace, deck, screen porch and a 517 square foot garage. The subject is located in St. Charles, St. Charles Township, Kane County, Illinois.

The appellant appeared before the Property Tax Appeal Board contending the market value of the subject property is not accurately reflected in its assessed valuation. In support of this overvaluation argument, the appellant submitted a grid analysis of three comparable sales located in within one-half mile of the subject. One comparable is located on the same street as the subject and two are located in the same subdivision as the subject. The comparables are situated on lots ranging in size from 12,000 to 13,943 square feet of land area. The comparables were part one-story and part two-story, one and one-half-story or two-story frame or brick and frame dwellings built from 1966 to 1971. One comparable has a slab foundation, one has a crawl space foundation and one has a full unfinished basement.

Each comparable has air conditioning, a fireplace and a garage ranging in size from 462 to 528 square feet of building area. The comparables ranged in size from 2,397 to 2,632 square feet of living area and sold in either November or December 2008 for prices ranging from \$270,000 to \$344,000 or from \$102.58 to \$139.38 per square foot of living area, including land.

The appellant submitted the final decision issued by the Kane County Board of Review establishing a total assessment for the subject of \$131,911, which reflects a market value of approximately \$396,486 or \$139.22 per square foot of living area, including land, using the 2008 three-year average median level of assessments for Kane County of 33.27% as determined by the Illinois Department Revenue. Based on this evidence the appellant requested the subject's total assessment be reduced to \$103,423.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment was disclosed. In support of the assessment, the board of review submitted a grid analysis and property record cards detailing three suggested comparable sales. The comparables were part one-story and part two-story or two-story and part one and one-half-story frame or brick and frame dwellings built from 1966 to 1993. One comparable was located in the same subdivision as the subject. The comparables were situated on lots ranging from 8,279 to 12,733 square feet of land area. Each comparable contains air conditioning, at least one fireplace and a garage ranging from 420 to 578 square feet of building area. Two comparables have a crawl space foundation and one has a full, partially finished basement. The homes ranged in size from 2,616 to 2,942 square feet of living area. The homes sold from June 2007 to July 2008 for prices ranging from \$380,000 to \$420,000 or from \$142.73 to \$158.25 per square foot of living area, including land.

After hearing the testimony and reviewing 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 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). The Board finds the appellant has met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant submitted three comparable sales. The board of review also submitted three comparable sales. The Board finds the appellant's comparable #1 and #3 and the board of review's comparable #3 were most similar to the subject property in location, design, size and/or age, and were therefore given

greater weight in the Board's analysis. These most similar comparables sold in July or November 2008 for prices ranging from \$270,000 to \$419,900 or from \$102.58 to \$142.73 per square foot of living area, including land. The subject's assessment reflects a market value of approximately \$396,486 or \$139.22 per square foot of living area, including land. The Board further finds the subject's market value as reflected by its assessment is higher than two of the three most similar comparables submitted into this record, which were located in the Surrey Hill subdivision. The Board also gave less consideration to the appellant's comparable #3 and the board of review's comparable #3, because these two comparable contained a full basement which the subject does not enjoy. After considering adjustments to the comparables for any differences when compared to the subject, the Board finds the subject's is excessive and a reduction is warranted.

In conclusion, the Board finds the appellant has demonstrated the subject property was overvalued by a preponderance of the evidence in this record. Therefore, the Board finds the subject property'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.

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: November 30, 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.