



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

APPELLANT: Ryan Romano
DOCKET NO.: 08-02535.001-R-1
PARCEL NO.: 12-17-14-401-001

The parties of record before the Property Tax Appeal Board are Ryan Romano, the appellant; and the Kankakee 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 Kankakee County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$22,430
IMPR.: \$39,850
TOTAL: \$62,280

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of an 85,680 square foot river front parcel improved with two dwellings. The first home is a 1.5-story brick dwelling built in 1940 that contains 2,112 square feet of living area.¹ Features include a full unfinished basement, central air conditioning a fireplace, a shed/workshop and a 3-car garage. The second dwelling consists of a 560 square foot frame dwelling. Features of the second dwelling were not provided. The subject is located in Aroma Park Township, Kankakee 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 within 9 blocks of the

¹ The appellant's grid depicted the subject as containing 1,728 square feet of living area.

subject.² The comparables are one-story or 1.5-story brick or frame dwellings built from 1958 to 1975. They range in size from 1,338 to 2,015 square feet of living area and are situated on non-river front lots ranging in size from 12,500 to 32,670 square feet of land area. Two of the comparables are situated on a crawl pace foundation and the third has an 892 square foot unfinished basement. Two of the comparables have central air conditioning, two have a fireplace and each has a two car garage. The three comparables sold from July 2006 to July 2007 for prices ranging from \$133,750 to 152,000 or from \$74.44 to \$113.60 per square foot of living area. The appellant testified the subject was inferior to the sales comparables. The appellant also submitted the final decision issued by the Kankakee County Board of Review establishing a total assessment for the subject of \$73,208, which reflects a market value of approximately \$219,910 using the 2008 three-year average median level of assessments for Kankakee County of 33.29% as determined by the Illinois Department of Revenue. 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 final assessment of \$73,208 was disclosed. In support of the assessment, the board of review submitted a grid analysis and property record cards detailing the appellant's three suggested comparables and one additional comparable sale.³ The additional comparable is a one-story frame dwelling situated on a 21,000 square foot parcel. The comparable was built in 1950 and contains 1,321 square feet of living area. This comparable contains a partial unfinished basement, central air conditioning and a two car garage. Billy Treece, the Aroma Township Assessor, testified that the subject was re-measured in December 2002 and the size was increased because of a dormer area on the upper level. Treece also testified that comparable #4 is a river property and is the most similar property to the subject. This property sold in February 2007 for \$157,080 or \$118.91 per square foot of living area, including land.⁴ Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 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

² The board of review utilized the same comparables as the appellant, therefore, the data for each comparable was taken from the board of review's grid analysis.

³ The board of review also submitted three equity comparables. However, they will not be discussed in this decision as they do not address or refute the appellant's overvaluation argument.

⁴ The board of review grid incorrectly depicts a sale price of \$167,900.

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 evidence in this record supports a reduction in the subject's assessment.

The board initially finds the best evidence of the subject's size is found in the credible testimony of Billy Treece, the Aroma Township Assessor, who re-measured the subject in 2002. Based on his testimony, the Board finds the subject contains 2,112 square feet of living area for purposes of this appeal. The subject's assessment reflects a market value of approximately \$219,910. The Board finds all of the comparables sold for prices well below the subject's estimated market value. The Board further finds the evidence depicts the subject contains a second dwelling worth approximately \$30,000, which was not refuted by the appellant. The evidence also revealed only two of the comparables submitted by both parties were river properties, similar to the subject: appellant sale #1 and board of review sale #4. Treece testified that board of review sale #4 was most similar to the subject. These two river properties sold in July 2007 and February 2007 for \$150,000 and \$157,080, respectively, which is well below the subject's estimated market value. After making adjustments for the additional dwelling enjoyed by the subject and considering the differences between the subject and the most similar properties in this record, the Board finds the evidence in this record supports a reduction in the subject's assessment.

Based on this analysis, the Board finds the subject's estimated market value as reflected by its assessment is excessive 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. 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: September 20, 2013

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.