



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

APPELLANT: Curt Cassingham
DOCKET NO.: 08-02643.001-R-1
PARCEL NO.: 06-09-279-038

The parties of record before the Property Tax Appeal Board are Curt Cassingham, 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: \$28,098
IMPR: \$87,301
TOTAL: \$115,399**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story dwelling of frame and masonry construction containing 2,559 square feet of living area. The dwelling is 8 years old. Features of the home include a full, unfinished basement, central air conditioning, a fireplace and a two-car garage.

The appellant is challenging the subject's assessment as of January 1, 2008 based on overvaluation.

In support of the market value argument, the appellant submitted an appraisal estimating the subject property had a market value of \$300,000 as of February 13, 2009. The appraiser developed only the sales comparison approach to value in estimating a value for the subject. The appraiser utilized three comparable sales that sold between May 2008 and December 2008, for prices that ranged from \$252,500 to \$315,000, or from \$129.55 to \$177.27 per square foot of living area, land included. The properties are improved with one-story, single-family dwellings. The dwellings range in age from 8 to 32 years and in size from 1,777 to 1,949 square feet.

The appraisal also included two properties that had not sold, but the appraiser listed them as "active" on the market as of the date of appraisal. These two properties were 1,417 and 1,850 square feet of living area in size and were three and nine years

of age respectively. The properties were listed for sale at \$289,000 and \$299,500. After making adjustments to the properties, the appraiser estimated the subject's market value to be \$300,000 or \$117.23 per square foot of living area as of February 13, 2009.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment was disclosed. The board of review presented descriptions and sale information on ten properties and assessment information on seven other properties. The sold properties ranged in size from 1,512 to 2,409 square feet and sold between September 2005 and January 2008. They were all one-story frame or frame and masonry dwellings. The properties ranged in age from 7 to 23 years and sold for prices ranging from \$264,900 to \$349,900, or from \$143.81 to \$203.94 per square foot of living area, land included. The subject's current assessment reflects an opinion of market value of \$346,856 or \$135.54 per square foot of living area including land, when applying the 2008 three year average median level of assessments for Kane County of 33.27%.

In addition to the market value evidence, the board of review also submitted assessment data and descriptions on seven properties improved with two-story dwellings. The properties ranged in size from 2,070 to 2,484 square feet and in age from 4 to 24 years. Improvement assessments ranged from \$74,246 to \$101,091 or from \$33.16 to \$41.19 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After reviewing the record 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 not warranted.

The appellant contends overvaluation as the basis of the appeal. 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.App3d 1038 (3rd Dist.2002). After an analysis of the assessment data, the Board finds the appellant has not met this burden.

The Board finds the parties to the appeal submitted a total of thirteen comparable sales, including one sale submitted by both parties. The Board placed less weight on comparables 2 and 3 submitted by the appellant because they were significantly older than the subject at 32 years of age as compared to the subject's 8. The Board also gave less weight to comparables 1, 3, 5, 6 and 10 submitted by the board of review. All of these sales occurred in either 2005 or 2006, anywhere from 15 to 27 months prior to the assessment date. The Board finds the remaining five comparables have varying degrees of similarity to the subject but require adjustments. The sales ranged in price from \$291,000 to \$345,000. Board of review's comparable two which sold for

\$291,000 would require upward adjustments for age and size. Board of review's #4 and appellant's #1 which sold for \$315,000 would require an overall upward adjustment for size. The remaining three comparables which sold for prices ranging from \$325,000 to \$345,000 would all require some upward adjustment for either size or age, or both. The subject's assessment reflects an estimated market value of \$346,856. After considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's indication of market value is correct and a reduction in the subject's assessment is not 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 M. Louie

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: October 19, 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.