



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

APPELLANT: Dave & Maureen Rogina
DOCKET NO.: 09-01009.001-R-1
PARCEL NO.: 14-12-10-202-047-0000

The parties of record before the Property Tax Appeal Board are Dave & Maureen Rogina, the appellants; and the Will 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 Will County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$45,000
IMPR.: \$ 0
TOTAL: \$45,000

Subject only to the State multiplier as applicable.

ANALYSIS

The subject consists of a 29,620 square foot lakefront lot located in Manhattan Township, Will County.

The appellants submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellants submitted three suggested comparable sales located .5 of a mile to 2 miles from the subject. The comparables are vacant lots that contain from 13,417 to 61,152 square feet of land area. The comparables sold from May 2006 to July 2008 for prices ranging from \$105,000 to \$123,500 or from \$1.74 to \$8.38 per square foot of land area. Based on this evidence, the appellants 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 \$45,000 was disclosed. The subject's assessment reflects an estimated market value of \$135,665 or \$4.58 per square foot of land area using Will County's 2009 three-year median level of assessments of 33.17%.

In support of the subject's assessment, the board of review submitted a memorandum addressing the appeal, property record cards, maps, Real Estate Transfer Declarations and an analysis of three suggested comparable land sales. The comparables are lakefront lots that are located in close proximity within the subject's subdivision. The lots range in size from 13,155 to 17,467 square feet of land area. The comparables sold from May 2006 to July 2008 for prices ranging from \$135,000 to \$148,000 or from \$7.73 to \$11.25 per square foot of land area.

The evidence also revealed the township assessor used the site method of value in assessing lakefront lots within the subject's subdivision. All lakefront lots are assessed at \$45,000, which reflects an estimated market value of \$135,000.

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 no reduction in the subject's assessment is warranted.

The appellants argued the subject property is overvalued. When market value is the basis of the appeal, the value 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); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179, 183, 728 N.E.2d 1256 (2nd Dist. 2000). The Board finds the appellants have not overcome this burden.

The record contains eight suggested comparable sales for the Board's consideration. The Board gave little weight to the comparables submitted by the appellants. Comparables 1 and 2 are located 1.8 and 2 miles from the subject and have considerably larger lots when compared to the subject. Comparable 3 sold in 2006, which is considered dated and not a reliable indicator of market value as of the subject's 2009 assessment date. Likewise, the Board gave less weight to board of review comparable 3 due to its May 2006 sale date. The Board finds the two remaining comparable land sales submitted by the board of review are more similar when compared to the subject in location and size. These comparables sold from January 2007 and July 2008 for prices of \$135,000 and \$137,000 or \$7.73 and \$8.48 per square foot of land area. The subject's assessment reflects an estimated market value of \$135,665 or \$4.58 per square foot of land area, which is less than the most similar comparable land sales contained in this record on a per square foot basis. Based on this analysis, the Board finds a preponderance of the most credible market value evidence contained in this record supports the subject's assessment.

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

Mark Morris

Member

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.