



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

APPELLANT: Alex Morelli
DOCKET NO.: 09-04023.001-R-1
PARCEL NO.: 03-29-103-002

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

LAND: \$21,058
IMPR.: \$62,755
TOTAL: \$83,813

Subject only to the State multiplier as applicable.

ANALYSIS

The subject parcel is improved with a 1-story dwelling of brick and frame construction. The dwelling contains 1,796 square feet of living area and is 8 years old. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a 2-car garage containing 494 square feet. The subject is located in Oswego, Oswego Township, Kendall County.

The appellant contends that the market value of the subject property is not accurately reflected in the property's assessed valuation as the basis of this appeal. The appellant submitted information on three comparable properties in the same neighborhood as the subject. The improvements are described as 1-story brick and frame dwellings either 9 or 10 years old. The dwellings range in size from 1,790 to 2,231 square feet of living area. The comparables feature full or partial basements, central air conditioning, fireplaces and 2, 2½ or 3 car garages.

The appellant disclosed the comparables sold between July 2008 and September 2009 for prices ranging from \$243,000 to \$307,000 or from \$135.00 to \$149.44 per square foot of living area including land. Based on this record, the appellant requested the subject's assessment be reduced to \$76,666 which would reflect a market value of approximately \$230,000 at the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$101,541 was disclosed. The subject's total assessment reflects an estimated market value of \$303,924 or \$169.22 per square foot of living area, land included, using the 2009 three-year median level of assessments for Kendall County of 33.41% as determined by the Illinois Department of Revenue.

In support of the subject's assessment, the board of review presented descriptions and assessment information on three comparable properties located in the same subdivision as the subject. The board of review's comparable #1 and the appellant's comparable #3 are the same property. The comparables range in age from 7 to 9 years and consist of 1-story frame or brick and frame dwellings. The dwellings range in size from 1,669 to 2,435 square feet of living area. Features include full or partial unfinished basements, central air conditioning, fireplaces and garages that contain between 420 and 666 square feet. The three comparables sold between July 2007 and July 2008 for prices ranging from \$307,000 to \$344,000 or from \$137.61 to \$192.93 per square foot of living area including land. 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 Property Tax Appeal 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 must be proven 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 warranted.

Comparable #1 submitted by the board of review and comparable #3 submitted by the appellant were the same property. The Board finds comparables #2 and #3 submitted by the board of review sold more than a year prior to the subject's valuation date of January 1, 2009. Comparable #1 and #3 submitted by the board of review and comparable #3 submitted by the appellant were significantly larger than the subject. Therefore, these comparables received less weight in the Board's analysis. The Board finds comparables #1 and #2 submitted by the appellant were most similar to the subject in age, size, location, style, exterior construction and features and had recently sold. These comparables sold between August and September 2009 for prices of \$243,000 and \$267,500 or

\$135.00 and \$149.44 per square foot of living area including land. The subject's assessment reflects a market value of \$303,924 or \$169.22 per square foot of living area including land, which is higher than these comparables. Therefore, the Board finds the appellant has proven by a preponderance of the evidence that the subject is overvalued and a reduction in the subject's assessment 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: May 18, 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.