



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

APPELLANT: Mark Eads
DOCKET NO.: 09-04829.001-R-1
PARCEL NO.: 09-35-253-008

The parties of record before the Property Tax Appeal Board are Mark Eads, 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: \$29,997
IMPR.: \$68,326
TOTAL: \$98,323**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject parcel is improved with a 2-story dwelling of frame construction. The dwelling contains 1,865 square feet of living area and was built in 1979. Features of the home include a full basement with finished area, central air conditioning, a fireplace and a 420 square foot garage. The subject is located in St. Charles, St. Charles Township, Kane 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 four comparable properties in the same neighborhood as the subject. The improvements are described as 2-story frame dwellings built between 1976 and 1986. The dwellings range in size from 1,736 to 1,865 square feet of living area. The comparables feature full basements with finished area, central air conditioning and 2-car garages. Three of the comparables feature fireplaces.

The appellant disclosed the comparables sold between May and December 2008¹ for prices ranging from \$255,500 to \$295,000 or from \$143.94 to \$158.18 per square foot of living area including land. Based on this record, the appellant requested the subject's assessment be reduced to \$90,140.

¹ Sale dates are provided by the board of review.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$98,323 was disclosed. The subject's total assessment reflects an estimated market value of \$295,175 or \$158.27 per square foot of living area, land included, using the 2009 three-year median level of assessments for Kane County of 33.31% 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. The comparables were built in 1979 or 1988 and consist of 2-story frame or brick and frame dwellings. The dwellings contain either 1,865 or 1,882 square feet of living area. Features include full or partial basements with finished area, central air conditioning, fireplaces and garages that contain 420 square feet. The three comparables sold between April and June 2007 for prices ranging from \$310,000 to \$315,000 or from \$164.72 to \$168.36 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 does not support 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 not warranted.

The Board finds the sale dates of the board of review's comparables were more than one year from the subject's valuation date of January 1, 2009. Therefore, these three comparables received less weight in the Board's analysis. The appellant's comparables were similar to the subject in age, size, location, lot size, exterior construction and features. These comparables sold between May and December 2008 for prices ranging from \$255,500 to \$295,000 or from \$143.94 to \$158.18 per square foot of living area including land. The subject's assessment reflects a market value of \$295,175 or \$158.27 per square foot of living area including land, which is at the upper end of the range of these most similar comparables. However, the Board finds appellant's comparable #2 was nearly identical to the subject being the same size, built in the same year, located two houses from the subject, having nearly the same finished area in the basement, having the same features and the same size garage. This

comparable sold in May 2008 for \$295,000 or \$158.18 per square foot of living area. Therefore, given the similarity of this comparable to the subject and the sale price consistent with the subject's valuation, the Board finds the appellant has failed to prove through a preponderance of the evidence that the subject is overvalued 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.

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.