



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

APPELLANT: Christine & John Kosinski  
DOCKET NO.: 10-00715.001-R-1  
PARCEL NO.: 11-04-23-213-006-0000

The parties of record before the Property Tax Appeal Board are Christine & John Kosinski, the appellants, and the Will 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 Will County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND: \$15,423  
IMPR.: \$43,744  
TOTAL: \$59,167**

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject parcel of 10,800 square feet of land area is improved with a two-story single-family brick dwelling that was built in 1947. The home contains approximately 1,152 square feet of above-grade living area.<sup>1</sup> The dwelling features a full basement,<sup>2</sup> central air conditioning and a detached two-car garage. The property is located in Lockport, Lockport Township, Will County.

In support of this overvaluation complaint, the appellants filed an appraisal with the Property Tax Appeal Board. The appraisal states that it was intended for a refinance transaction. The rights appraised were fee simple. The appraisal was prepared by

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<sup>1</sup> The appellants' appraiser reported a dwelling size that is 48 square feet larger. As shown in the appraiser's schematic, the appraiser depicted one exterior wall as 25 feet long whereas the schematic on the subject's property record card depicted 24 feet for the same exterior wall. For purposes of this decision, the slightly smaller dwelling size as determined by the assessing officials has been accepted.

<sup>2</sup> The appellants' appraiser reported the basement was 50% finished. In Section III of the Residential Appeal petition, the appellants reported the basement was unfinished and the assessing officials report the basement as fully finished.

Anthony Hansen of Matrix Appraisal, Inc. in Aurora, a State licensed appraiser. The report provides an estimated market value for the subject of \$178,000 or \$154.51 per square foot of living area, including land, as of July 28, 2010.

As part of the report, the appraiser prepared a Market Conditions Addendum to the Appraisal Report concluding that area Multiple Listing Service data demonstrates declining property values in the subject's market area of approximately 5% over the past twelve months. The appraiser arrived at this opinion by comparing median sale prices of all single-family homes for January 27, 2010 through July 27, 2010 to the median price of all single-family homes from the prior six months of July 27, 2009 through January 27, 2010. Among the additional comments in the report, Hansen indicated that there is an oversupply of properties according to the data which would be expected to take 12 months to liquidate.

Utilizing the sales comparison approach to value, the appraiser set forth four comparable sales and two listings located from .27 to 1.52-miles from the subject. The parcels range in size from 4,800 to 19,200 square feet of land area. Each parcel is improved with either a Cape Cod or a two-story single-family dwelling of frame or brick exterior construction. The homes are 58 to 117 years old. The comparables range in size from 1,225 to 1,780 square feet of living area. Each dwelling has a full basement, two of which include finish as a recreation room. Five of the comparables have central air conditioning and a one-car or a two-car garage. Four of the properties sold from April to June 2010 for purchase prices ranging from \$159,000 to \$180,000 or from \$92.13 to \$132.55 per square foot of living area, including land. The two listings have asking prices of \$169,900 and \$185,000 or \$126.32 and \$112.46 per square foot of living area, including land.

As part of the appraisal report, Hansen made adjustments to the comparables for date of sale/time and for differences from the subject in lot size, view, quality of construction, room count, living area square footage, basement finish, air conditioning, garage/garage size and/or modernization. The adjustment process was further discussed in the report as having been drawn from a paired sales analysis from Multiple Listing Service data. After this analysis, the appraiser concluded adjusted sale prices for the comparables ranging from \$172,400 to \$184,000 or from \$96.85 to \$147.76 per square foot of living area, including land. The appraiser then concluded an estimated fair market value of the subject of \$178,000.<sup>3</sup>

Based on this evidence, the appellant requested a reduction in the assessment of the subject property to \$59,333 which would reflect a market value of approximately \$178,000.

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<sup>3</sup> Based on the appraiser's dwelling size determination, the value conclusion would reflect \$148.33 per square foot of living area, including land, if the dwelling contained 1,200 square feet.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$66,443 was disclosed. The final assessment of the subject property reflects a market value of approximately \$199,889 or \$173.51 per square foot of living area, including land, using the 2010 three-year median level of assessments for Will County of 33.24% as determined by the Illinois Department of Revenue. (86 Ill.Admin.Code §1910.50(c)(1)).

In support of the subject's estimated market value based on its assessment, the board of review submitted a letter from the Lockport Township Assessor addressing the appellants' evidence and the assessor's responsive sales evidence. The assessor noted the appraisal from the appellants was performed for a refinance transaction. The assessor further stated, "No copies of his Property Record card were provided." Additionally, the assessor noted the appraiser used 2010 sales and two active listings, which were not closed sales.

The assessor prepared four-pages of grid analyses with a total of 13 sales that occurred between 2007 and 2009. Each property was located in an area known as Lockport Proper like the subject. The comparables consist of six, one-story, four, 1.5-story, and three, two-story frame, brick, stone or frame and brick dwellings. The comparables range in age from 57 to 110 years old. The homes range in size from 848 to 1,788 square feet of living area. Each dwelling has a full or partial basement. Four comparables have central air conditioning and four comparables have a fireplace. Twelve of the comparables have a garage ranging in size from 236 to 672 square feet of building area. The properties sold between March 2007 and June 2009 for prices ranging from \$180,000 to \$226,000 or from \$126.40 to \$225.24 per square foot of living area, including land. Finally, the assessor noted, "The medium [*sic*] level for three years of sales is \$208,417." Given the subject's estimated market value based on its assessment, the assessor contends the assessment is correct.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

After reviewing the record and considering the evidence submitted by the parties, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

The appellants argued that the subject's assessment was not reflective of market value. 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.App.3d 1038 (3<sup>rd</sup> Dist. 2002). Proof of market value may consist of an appraisal, a recent arm's length sale of the subject property, recent sales of comparable properties, or

recent construction costs of the subject property. (86 Ill.Admin.Code §1910.65(c)). The Board finds this burden of proof has been met and a reduction in the subject's assessment is warranted.

The Board finds the appellants submitted an appraisal of the subject property with a final value conclusion of \$178,000 which was supported by sales and listings that were proximate in time to the assessment date of January 1, 2010. The appraiser made adjustments for various differences between the subject and comparables to arrive at a well-reasoned value conclusion. Furthermore, the Board notes that the appraiser's value conclusion is equivalent to \$154.51 per square foot of living area, including land, and is above the range of the adjusted comparable sales presented by the appraiser.

The board of review presented 13 sales of dwellings which mostly differed from the subject in exterior construction, design and/or dwelling size. Moreover, with the exception of one sale from June 2009, each of these sales was more distant to the assessment date than the data presented by the appellants. The one sale most proximate in time to the assessment date is of a dwelling that is much larger than the subject. For these reasons, the sales presented by the board of review have been given reduced weight in the Board's analysis.

As to the criticisms of the appraisal, the rights appraised were fee simple and the subject's market value was estimated using the sales comparison approach to value with adjustments that were well explained. There is no procedural or other requirement for an appraiser and/or an appellant/taxpayer before the Property Tax Appeal Board to submit a copy of the subject's property record card with an appeal.<sup>4</sup>

Having examined the evidence presented by the parties, the Property Tax Appeal Board finds that the best evidence of the subject's market value on this record is the appraisal conclusion of \$178,000 which is supported by the board of review's sale that occurred in April 2008 of a two-story brick dwelling is 63 years old and contains 1,352 square feet of living area. This property sold for \$206,500 or \$152.74 per square foot of living area, including land. The Board finds that giving due consideration to appropriate adjustments to this board of review comparable sale for a time adjustment, this sale further supports the appraiser's value conclusion of the subject dwelling.

Based upon the best market value evidence in the record, the Property Tax Appeal Board finds that a reduction in the subject's assessment is warranted. Since market value has been established, the three-year median level of assessments for Will County for 2010 of 33.24% shall be applied.

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<sup>4</sup> The procedural requirement to submit a property record card of the subject property applies to boards of review. 86 Ill.Admin.Code §1910.40(a).

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

*Frank J. Huff*

Member

Member

*Mario 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: May 24, 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.