



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

APPELLANT: Steve Osborn  
DOCKET NO.: 10-00773.001-R-1  
PARCEL NO.: 22-22-16-209-015-0000

The parties of record before the Property Tax Appeal Board are Steve Osborn, the appellant, by attorney William I. Sandrick of the Sandrick Law Firm, LLC, in South Holland, 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:** \$17,503  
**IMPR.:** \$57,287  
**TOTAL:** \$74,790

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a two-story single-family dwelling of frame and masonry construction containing approximately 2,855 square feet of living area.<sup>1</sup> The dwelling was constructed in 2007. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a two-car garage. The property has an approximately 9,298 square foot site and is located in Beecher, Washington Township, Will County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$225,000 as of January 1, 2010. The appraisal was prepared by Susanne M. Hickey, a State of Illinois Certified Residential Real Estate Appraiser. In estimating the market value of the subject property, the

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<sup>1</sup> Both parties to this proceeding provided schematic drawings of the dwelling to support their respective dwelling size determinations. The appellant's appraiser depicted a second floor area that did not include open second floor area above the first floor family room whereas the assessing officials asserted a larger dwelling size of 3,168 square feet including this open second floor area. The Property Tax Appeal Board finds the appraiser's size determination was the best evidence in the record along with an interior photograph that depicts cathedral ceiling area in the family room.

appraiser developed the cost and the sales comparison approaches to value.

The appraiser also reported on overall area market conditions asserting that there has been a decline in conditions in Beecher in the past year. "Overall marketing times have been increasing, volume has been steadily decreasing and sale prices drastically decreased from a year ago." The basis for the opinion is set forth in detail in a Supplemental Addendum to the appraisal report.

Under the cost approach the appraiser estimated the subject had a site value of \$35,000 based on area land sales reflecting an average price of \$3.75 per square foot of land area. The appraiser estimated the replacement cost new of the improvements to be \$208,280. The appraiser estimated physical depreciation to be \$5,957 using the age/life method resulting in a depreciated improvement value of \$202,323. The appraiser also estimated the site improvements had a value of \$10,000. Adding the various components, the appraiser estimated the subject property had an estimated market value of \$247,323 under the cost approach to value.

Using the sales comparison approach, the appraiser provided information on four comparable sales and two listings located from .11 to 10.11-miles from the subject property. The comparables have sites ranging in size from 5,200 to 10,880 square feet of land area. Three comparables have a view of a playground, a golf course or a pond as compared to the subject's residential view. The parcels are improved with two-story dwellings of frame or frame and masonry construction that ranged in size from 1,700 to 2,900 square feet of living area. The dwellings range in age from new to 5 years old. Features of the comparables include a full or partial basement, one of which includes finished area, central air conditioning and a two-car or a three-car garage. Five of the comparables have a fireplace and one comparable has access to a community pool and clubhouse. The four comparables sold in May or September 2009 for prices ranging from \$189,900 to \$305,000 or from \$96.00 to \$122.000 per square foot of living area, including land. The two listings had asking prices of \$255,000 and \$269,900 or \$98.08 and \$93.07 per square foot of living area, including land, respectively.

The appraiser detailed the considerations in the adjustment process within the report as to each of the suggested comparables. After making adjustments to the comparables for date of sale/time and/or for differences from the subject in lot size, location, view, dwelling size, basement finish, garage size and/or other amenities, the appraiser estimated the comparables had adjusted prices ranging from \$222,490 to \$237,000 or from \$78.41 to \$130.88 per square foot of living area, including land. Based on this data the appraiser estimated the subject had an estimated value under the sales comparison approach of \$225,000 or \$78.81 per square foot of living area, including land.

In reconciling the two approaches to value the appraiser gave most weight to the sales comparison approach to value and estimated the subject property had a market value of \$225,000 as of January 1, 2010. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the appraised value 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 total assessment of \$119,175 was disclosed. The subject's assessment reflects a market value of \$358,529 or \$125.58 per square foot of living area, including land, when applying the 2010 three year average median level of assessment for Will County of 33.24% as determined by the Illinois Department of Revenue.

In support of the subject's assessment the board of review submitted a letter from Carol Ann Blume, Washington Township Assessor, along with information on three comparable sales located in the same subdivision. The assessor prepared a grid of three comparables with quantitative adjustments to living area size,<sup>2</sup> basement size and/or garage size resulting in adjusted improvement assessments for the comparables ranging from \$86,635 to \$91,999. The comparables are improved with two-story dwellings of frame and masonry construction that range in size from 2,494 to 2,911 square feet of living area. The dwellings were constructed from 2003 to 2006. Features of the comparables include unfinished basements, central air conditioning, one or two fireplaces and a garage. The comparables have sites contain either 9,298 or 13,234 square feet of land area. The comparables sold from January to November 2008 for prices ranging from \$270,000 to \$290,000 or from \$92.75 to \$113.07 per square foot of living area, including land. The township assessor concluded the letter by stating, "[m]y recommendation would be to lower the building assessment in the range of 89,000 to 91,000 based on the sales and the assessed value of the 3 comparable properties."

Based on the foregoing, the board of review was apparently requesting confirmation of the subject's improvement assessment of \$101,672 and the total assessment that reflected an estimated market of \$358,529.

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 warranted.

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 of the property must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board,

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<sup>2</sup> Based upon the subject's property record card, the assessor reported the subject dwelling contains 3,168 square feet of living area which appears to include cathedral ceiling area above the family room. (See Footnote 1).

331 Ill.App.3d 1038 (3<sup>rd</sup> Dist. 2002); 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. (86 Ill.Admin.Code §1910.65(c)). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the appraisal of the subject property submitted by the appellant. The appellant's appraiser developed the cost and sales comparison approaches to value and gave most weight to the sales comparison approach. The sales utilized by the appraiser were similar to the subject in size, style, exterior construction, features, age and/or land area and adjustments for differences were made as part of the analysis of the data along with detailed explanations of the differences in the properties.

These comparable properties also sold most proximate in time to the assessment date at issue having sold in 2009 whereas the board of review sales each occurred in 2008. The appraised value of the subject is below the market value reflected by the assessment. Less weight was given the comparable sales presented by the board of review due to differences from the subject in size and the dates of sales not being proximate in time to the assessment date at issue of January 1, 2010.

The assessor's analysis further supports a reduction in the subject's improvement assessment based on the sales presented as adjusted by the assessor.

Based on this record the Board finds the subject property had a market value of \$225,000 as of January 1, 2010. Since market value has been determined the 2010 three year average median level of assessment for Will County of 33.24% shall apply. (86 Ill.Admin.Code §1910.50(c)(1)).

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

*[Signature]*

Member

Member

*[Signature]*

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

*[Signature]*

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.