



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

APPELLANT: Courtney Walton  
DOCKET NO.: 10-00813.001-R-1  
PARCEL NO.: 04-10-06-312-006-0000

The parties of record before the Property Tax Appeal Board are Courtney Walton, the appellant, 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:** \$15,226  
**IMPR.:** \$77,846  
**TOTAL:** \$93,072

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a two-story single-family dwelling of frame and brick construction containing 3,062 square feet of living area.<sup>1</sup> The dwelling was constructed in 2005. Features of the home include a full unfinished basement, central air conditioning, a fireplace and an attached three-car garage of 711 square feet of building area. The subject dwelling is known as a "Streamwood C 3" model. The property has a 23,260 square foot site in a cul-de-sac, but backs to a highly traveled road. The property is located in Minooka, Channahon 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 \$280,000 as of January 1, 2010. The appraisal was prepared by Don J. Papineau, a State of Illinois Certified Residential Real Estate Appraiser. The purpose of the report was to determine market value for an appeal

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<sup>1</sup> The appellant and the appellant's appraiser reported a dwelling size of 3,062 square feet and the appraiser included a detailed schematic drawing to support the size determination. The board of review through the assessor reported a dwelling size of 3,078 square feet, but contrary to the requirements of the Board's rules, failed to provide a copy of the subject's property record card to support the reported dwelling size. (86 Ill.Admin.Code §1910.40(a)). On this record, the Board finds the best evidence of the subject's dwelling size was presented by the appellant.

of the current tax/property assessment of the property for 2010. In estimating the market value of the subject property the appraiser developed the sales comparison approach to value.

Also in Section IV of the Residential Appeal petition, the appellant reported the subject property was purchased in October 2009 for \$189,000 from FHLMC, Pierce & Associates through a Realtor with Pease Real Estate. The property was advertised for sale for 124 days in the Multiple Listing Service after a foreclosure action and the parties to the transaction were not related. Furthermore, the appellant expended \$45,000+ in renovation costs before occupying the property in December 2010. The appellant's appraiser also reported this sales history due to foreclosure and additionally noting the property was previously purchased by a Sheriff's Deed recorded in February 2009 for \$300,000. He also reported there was a "Certificate of Sale" recorded on the subject property in December 2008 for \$300,000.

Papineau further stated that since the closing the new owners reported upgrades and remodeling including installation of a high efficiency gas furnace, air conditioning unit, hardwood flooring in the den, carpeting in the family room, kitchen cabinets, acrylic counter-tops, ceramic/glass tile back splash, master bath vanity and acrylic counter-top.

Using the sales comparison approach, the appraiser provided information on four comparable sales that were from .11 to 1.81-miles from the subject; the fourth comparable was located in Channahon. The comparables have sites ranging in size from 10,800 to 17,700 square feet of land area, two of which have wooded views and one of which has a pond view. The comparables are described as two-story dwellings that range in size from 2,392 to 3,201 square feet of living area. The dwellings are new to 7 years old and feature full unfinished basements, two of which are "look out" style, central air conditioning, a fireplace and a two-car garage or a three-car garage. One comparable also has a screened porch. The appraiser reported these comparables were on the market from 164 to 232 days and sold from July 2008 to November 2009 for prices ranging from \$245,000 to \$330,347 or from \$97.63 to \$106.81 per square foot of living area, including land. Next the appraiser considered adjustments to the comparables for differences from the subject and further discussed the basis for the adjustments in an addendum to the report. After making adjustments to the comparables for differences in location, lot size, view, room count, dwelling size and/or other amenities from the subject the appraiser estimated the comparables had adjusted prices ranging from \$277,800 to \$289,500 or from \$90.14 to \$116.14 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 \$280,000 or \$91.44 per square foot of living area, including land.

Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$111,742 was disclosed. The subject's assessment reflects a market value of \$336,167 or \$109.77 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.

The board of review submitted a memorandum from Ann Crickman, Channahon Township Assessor, along with additional sales evidence. In the letter, the assessor noted that the subject is located in a neighborhood of two-story homes "available in a select number of models." While the subject is one of the larger models, the assessor contends that the appraisal relies upon smaller models.

In support of the subject's assessment, the assessor submitted limited information in a spreadsheet on six comparable sales along with applicable property record cards and transfer declarations. Close examination of the data reveals that sales #2 and #3 in the listing are the same properties in the appellant's appraisal as sales #2 and #1, respectively. The spreadsheet reportedly depicts a median sale price per square foot of \$108.91. The six comparables are two-story dwellings that were built between 2003 and 2005. None of the comparables in the spreadsheet has the model name that is assigned to the subject dwelling. These six homes range in size from 2,107 to 2,612 square feet of living area and sold between April 2008 and December 2009 for prices ranging from \$237,000 to \$284,900 or from \$97.63 to \$116.67 per square foot of living area, including land.

The assessor also submitted a grid analysis of three comparable sales with property record cards. These three properties are in the subject's subdivision with varying model names of Streamwood C 3, B 3 and A 3, respectively. No land size data was reported. Each lot is improved with a two-story dwelling of frame construction<sup>2</sup> that contains 3,078 square feet of living area. The dwellings were constructed in 2005 or 2007. Two of the comparables have a full unfinished basement. None of the comparables has central air conditioning or a fireplace. Two of the comparables have three-car garages. These three comparables sold from June 2005 to November 2007 for prices ranging from \$326,919 to \$359,994 or from \$106.21 to \$116.96 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

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<sup>2</sup> Photographs of comparables #1 and #2 that are included with the property record cards depict dwellings of frame and masonry exterior construction.

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, 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 sales comparison approach to value, considered sales proximate in time to the assessment date of January 1, 2010 and made reasoned adjustments to the comparables for differences from the subject. Moreover, the sales utilized by the appraiser were similar to the subject in location, size, style, exterior construction, features, age and/or land area. The appraised value is below the market value reflected by the assessment.

Less weight was given the comparable sales presented by the board of review. As to the three sales in the grid analysis, these sales occurred less proximate in time to the assessment date at issue and therefore, regardless of their reported similarities to the subject dwelling, these sales are less indicative of the subject's estimated market value as of January 1, 2010. As to the comparables in the spreadsheet, but for the two properties that were part of the appellant's appraisal, there was insufficient descriptive data to analyze whether these properties were similar to the subject and several of the sales occurred in 2008, a date less proximate to the assessment date than other record evidence.

Based on this record and analysis of the appellant's appraisal along with common sales presented by both parties, the Board finds the subject property had a market value of \$280,000 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.