



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

APPELLANT: Jose Delao
DOCKET NO.: 10-01376.001-R-1
PARCEL NO.: 15-18-427-020

The parties of record before the Property Tax Appeal Board are Jose Delao, the appellant and the Kane 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 Kane County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$12,742
IMPR.: \$33,924
TOTAL: \$46,666

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a split-level dwelling of frame construction containing 2,120 square feet of living area. The dwelling is 42 years old. Features of the home include an unfinished basement, central air conditioning, one and one-half bathrooms and a one-car garage.

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.

In support of the overvaluation argument, the appellant submitted sales information and descriptions on three comparable sales properties. The properties sold from March 2009 to March 2010, for prices that ranged from \$95,000 to \$140,000 or from \$52.54 to \$66.03 per square foot of living area, land included. The comparables are improved with split-level single-family dwellings of frame exterior construction. The dwellings range in age from 42 to 51 years and in size from 1,728 to 2,120 square feet. The appellant considered comparable #1 the most similar to the subject. This property is nearly identical to the subject, containing 2,120 square feet, a one car garage, 1.5 baths and the same size basement. The property is located on the subject's street approximately 9 houses away from the subject. It sold in March 2010 for \$140,000. The appellant requested the subject's

assessment be reduced to reflect a market value of \$140,000 as of January 1, 2010.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$75,801 was disclosed. The subject's assessment reflects a market value of \$227,221 using the three-year median level of assessment for Kane County of 33.36% for 2010.

The board of review submitted a proposed assessment for the subject property of \$69,993. The appellant was notified of this suggested agreement and given fifteen (15) days to respond if the offer was not acceptable. The appellant responded by the established deadline rejecting the board of review's proposal. No further evidence was submitted by the board of review.

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 finds that the sales comparables submitted by the appellant are the best evidence of the subject's market value in the record. Based on this analysis, the Property Tax Appeal Board finds the evidence contained in the record demonstrates the subject property is overvalued by a preponderance of the evidence and a reduction is warranted. Based on this record the Board finds a reduction in the subject's assessment commensurate with the appellant's request is appropriate.

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: October 19, 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.