



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

APPELLANT: Craig Wetter Taylor
DOCKET NO.: 11-01575.001-R-1
PARCEL NO.: 15-21-286-009

The parties of record before the Property Tax Appeal Board (PTAB) are Craig Wetter Taylor, 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: \$3,336
IMPR: \$3,336
TOTAL: \$6,672

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story multi-family building with a gross living area of approximately 3,692 square feet. The building was constructed in approximately 1900 and has a full basement. The property has an 8,560 square foot site and is located in Aurora, Aurora Township, Kane County.

The appellant contends overvaluation based on a recent sale as the basis of the appeal. In support of this argument the appellant completed Section IV - Recent Sale Data of the appeal disclosing the subject property was purchased in December 2009 for a price of \$20,000. The appellant indicated the parties to the transaction were not related and the property was exposed on the open market through the Multiple Listing Service and had been advertised for six months. The appellant also submitted a copy of the Illinois Real Estate Transfer Declaration (PTAX-203) documenting the purchase for a price of \$20,000. Based on this evidence the appellant requested the subject's assessment be reduced to reflect the purchase price.

The board of review (BOR) submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$17,425 was disclosed. The subject's assessment reflects a

market value of \$52,438 or \$14.20 per square foot of living area, including land, when applying the 2011 three year average median level of assessments for Kane County of 33.23%. The subject has an improvement assessment of \$7,174 or \$1.94 per square foot of living area.

The BOR provided information on three comparables improved with two-story dwellings of frame construction that ranged in size from 2,564 to 4,760 square feet of living area. The comparables were constructed in 1900 and had improvement assessments that ranged from \$46,908 to \$64,943 or from \$11.05 to \$18.29 per square foot of living area.

The BOR further indicated it was "willing to stipulate to the amount of the PTAB's prior year ruling which the BOR is waiting to receive back." The PTAB takes notice that the subject property was the subject matter of an appeal the prior tax year under Docket No. 10-01798.001-R-1. (See 86 Ill.Admin.Code 1910.90(i)). In that appeal the PTAB issued a decision on April 19, 2013, reducing the subject's assessment to \$6,672 based on the December 2009 sale price for the subject property of \$20,000.

In rebuttal the appellant asserted he was willing to stipulate to the value set by the PTAB in Docket No. 10-01798.001-R-1. The appellant also asserted there was no significant change in the condition or value of the property from the prior year.

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 the appeal. The PTAB further finds the evidence in the record supports a reduction in the subject's assessment.

The appellant argued overvaluation as the basis of the appeal. 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 (3rd Dist. 2002). 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 PTAB finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

Initially, the PTAB finds the best evidence of market value in this record is the sale of the subject property in December 2009 for a price of \$20,000. Second, the record also indicates the appellant and the BOR agreed that the assessment as determined by the PTAB in the prior tax year's appeal under Docket No. 10-01798.001-R-1 totaling \$6,672 was appropriate. For these reasons the PTAB finds that a reduction in the subject's assessment to reflect the PTAB's prior tax year's finding is proper.

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

Marko M. Louie

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: September 20, 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.