



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

APPELLANT: Paul Snowwhite
DOCKET NO.: 11-05912.001-R-1
PARCEL NO.: 06-21-228-020

The parties of record before the Property Tax Appeal Board are Paul Snowwhite, 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: \$14,181
IMPR.: \$8,415
TOTAL: \$22,596

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed a 2011 assessment appeal from a final administrative decision of the Property Tax Appeal Board for the 2010 tax year which was issued on May 24, 2013 pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185). The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property is improved with a one-story single family dwelling of frame exterior construction that contains 1,056 square feet of living area and is 49 years old. Features of the home include central air conditioning, a 480 square foot detached garage and a full unfinished basement. The dwelling is situated on 10,670 square feet of land area. The subject

property is located in Fox River Hills Subdivision, Elgin, Elgin Township, Kane County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales. The four suggested comparables submitted are located in either Fox River Hills or Fox River Acres Subdivisions. The comparables are improved with a split-level, a part one-story and part 1.5-story, a part one-story and a part two-story or a two-story dwelling. The homes range in size from 1,277 to 3,049 square feet of living area. These comparables have frame exterior construction and are from 51 to 68 years old. Three of the comparables have an attached or a detached garage that ranges in size from 720 to 781 square feet of building area. Two comparables have central air conditioning. One comparable has a partially finished basement. These properties sold from October 2009 to November 2011 for prices ranging from \$50,000 to \$127,900 or from \$39.15 to \$64.35 per square foot of living area, including land.

As part of the appeal petition, the appellant also reported that the subject property was purchased in March, 2010 for \$58,000 after having been advertised on the open market for a period of 62 days. The subject property was sold due to foreclosure and the appellant reported having expended \$10,000 in renovations before occupying the subject property in June 2010.

Based on this evidence, the appellant requested a total assessment reflective of a market value of approximately \$52,242.

The board of review submitted its "Board of Review Notes on Appeal." As part of the appellant's submission, there was an Elgin Township printout disclosing the total assessment for the subject for 2011 of \$49,843. The subject's assessment reflects a market value of \$149,994 or \$142.04 per square foot of living area, land included, when using the 2011 three year average median level of assessment for Kane County of 33.23% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales. The comparables consists of one-story or 1.5-story frame dwellings that range in size from 878 to 1,064 square feet of living area. The comparables sold between June 2007 and July 2009 for prices ranging from \$168,500 to \$213,000 or from \$186.09 to \$211.31 per square foot of living area, including land. Based on this

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

Conclusion of Law

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. 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 recent purchase price of the subject property of \$58,000 in addition to the renovation costs of \$10,000 which were expended before the property was occupied in June 2010. This investment of \$68,000 for the subject property occurred approximately six months prior to the assessment date at issue of January 1, 2011. The Board finds this purchase price of the subject property plus the renovation costs is the best evidence of the subject's market value in the record.

The subject's assessment reflects a market value of \$149,994, including land, which is substantially above the recent purchase price along with renovation costs. Based on this evidence the Board finds a reduction in the subject's assessment is justified.

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. Crit

Chairman

K. L. Fan

Member

Richard A. Huff

Member

Mario M. Lino

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 19, 2014

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.