



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

APPELLANT: Selangor Trust  
DOCKET NO.: 11-06065.001-R-1  
PARCEL NO.: 03-24-205-047

The parties of record before the Property Tax Appeal Board are Selangor Trust, the appellant, by attorney Jerri K. Bush in Chicago, 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:** \$5,096  
**IMPR.:** \$5,538  
**TOTAL:** \$10,634

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) challenging the assessment for the 2011 tax year. 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 consists of a 2-story dwelling of frame construction with 1,134 square feet of living area. The dwelling was constructed in 1970. Features of the home include

central air conditioning. The property has a 1,667 square foot site and is located in Carpenter, Dundee Township, Kane County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on June 1, 2010 for a price of \$20,000. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$22,361. The subject's assessment reflects a market value of \$67,292 or \$59,34 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 seven comparable sales, three of which were almost identical to the subject. The board of review also argued the appellant remodeled the subject property since the time of purchase, which occurred on or about February 2011. The board of review submitted evidence indicating heating and ventilation work and the replacement of a water heater.

In rebuttal, the appellant argued the subject's purchase was the result of a foreclosure, was sold at auction after having been advertised on the internet for 110 days. The appellant also argued that the repairs and maintenance to the subject subsequent of the subject's purchase cannot be used to increase the assessment pursuant to 35 ILCS 200/10-20.

### **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 evidence depicts reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value in the record to be comparable sales #2 and #3 submitted by the board of review. These comparables were almost identical to the subject in location, style, size, construction, features and/or age. These properties also sold on the assessment date at issue; January 1, 2011. The appellant did not refute the arms length nature of these two sale transactions or otherwise submitted evidence to show they were not indicative of the subject's market value. These two comparables sold for prices of \$32,000 and \$32,500 or for \$28.22 and \$28.66, respectively, per square foot of living area, including land. The subject's assessment reflects a market value of \$67,292 or \$59.34 per square foot of living area, including land, which is above the best comparable sales in this record. The Board gave less weight to the subject's sale due to the fact the sale did not occur as proximate in time to the assessment date at issue as board of review comparable sales #2 and #3, however, the Board finds the subject's sale also supports a reduction. Based on this record the Board finds the subject's assessment is not reflective of market value and 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: November 21, 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.