



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

APPELLANT: Jesus & Mayela Meraz
DOCKET NO.: 12-01299.001-R-1
PARCEL NO.: 15-17-281-002

The parties of record before the Property Tax Appeal Board are Jesus and Mayela Meraz, the appellants, 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 no change 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: \$6,756
IMPR.: \$72,676
TOTAL: \$79,432

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants timely filed the appeal from a decision of the Kane County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2012 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 part two-story and part one-story single family dwelling of frame construction with 2,648 square feet of living area. The dwelling was constructed in 2007. Features of the home include a partial basement, central air conditioning, one fireplace and a two-car attached garage. The property is located in Aurora, Aurora Township, Kane County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on five comparable sales improved with two-story dwellings that were described as ranging in size from 2,200 to 2,504 square feet of living area. The comparables were constructed in 1996 and 1997. The sales occurred from December 2010 to May 2012 for prices ranging from \$172,000 to \$205,000 or from \$69.49 to \$88.82 per square foot of living area, including land. The appellants requested the subject's assessment be reduced to \$58,328

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$79,432. The subject's assessment reflects a market value of \$238,177 or \$89.95 per square foot of living area, land included, when using the 2012 three year average median level of assessment for Kane County of 33.35% as determined by the Illinois Department of Revenue.

In rebuttal the board of review indicated that all of the appellants' comparables were located in a different subdivision. The board of review indicated that two of the sales were bank sales and two sales occurred in 2012. The board of review also provided a grid analysis of the appellants' comparables #1 through #3 and provided a depreciation table for the 2012 tax year.

In support of its contention of the correct assessment the board of review submitted an equity analysis using three comparables identified by the township assessor.

Conclusion of Law

The appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the appellants' comparable sales do not support a reduction in the subject's assessment. The comparables submitted by the appellants sold for prices ranging from

\$172,000 to \$205,000 or from \$69.49 to \$88.82 per square foot of living area, including land. The subject's assessment reflects a market value of \$238,177 or \$89.95 per square foot of living area, including land, which is slightly above the range established by the appellants' comparable sales on a square foot basis. The Board finds the subject's higher assessment is justified considering the subject dwelling is 10 or 11 years newer than each of the sales provided by the appellants. Based on this evidence the Board finds a reduction in the subject's assessment is not 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.

Chairman

K. L. Fen

Member

[Signature]

Member

Mark Albino

Member

Jerry White

Acting 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: June 26, 2015

[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.