



Amended Decision
FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Thomas Olson
DOCKET NO.: 11-04086.001-R-1 through 11-04086.003-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Thomas Olson, the appellant; and the DuPage County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **A Reduction** in the assessment of the property as established by the **DuPage** County Board of Review is warranted. The correct assessed valuation of the property is:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
11-04086.001-R-1	06-21-108-014	12,480	0	\$12,480
11-04086.002-R-1	06-21-108-015	12,480	24,170	\$36,650
11-04086.003-R-1	06-21-108-016	12,480	0	\$12,480

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the DuPage County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) 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 three contiguous parcels. Parcel 06-21-108-014 (hereafter 014) is a vacant residential lot containing 7,095 square feet of land area. Parcel 06-21-108-015 (hereafter 015) is a 7,095 square foot lot which is improved with a one and one-half story dwelling that contains 1,422 square feet of living area of frame exterior construction and was constructed in 1942. The dwelling has a basement, central air conditioning and a 400 square foot two-car garage. Parcel 06-21-108-016 (hereafter 016) is a vacant residential lot containing 7,095 square feet of land area. The three parcels combined reflect a total land area of 21,285 square feet. The parcels are located in Lombard, York Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on one improved sale and three vacant land sales. The appellant also made a reference that parcel 014 was listed for sale at \$30,000 and there were no offers.

Comparable #1 is located 200 feet from the subject property. This property is described as a two-story dwelling that contains 2,762 square feet of living area. The comparable has a basement, with finished area, central air conditioning, one fireplace and 500 square foot two-car garage. The comparable has a site size of 7,020 square feet of land area. This property sold March 2010 for a price of \$464,000 or \$167.99 per square foot of living area.

Comparables #2 through #4 are vacant land sales and are located from 400 feet to one and one-half blocks from the subject property. They have either 6,970 or 7,056 square feet of land area and sold on March 22, 2012 for \$18,525 each or \$2.66 or \$2.63 per square foot of land area, respectively.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$103,500. The subject's assessment reflects a market value of \$312,217 or \$219.56 per square foot of living area, land included, when using the 2011 three year average median level of assessment for DuPage County of 33.15% as determined by the Illinois Department of Revenue. Each parcel has a land assessment of \$26,430 reflecting a market value of \$79,729 or \$11.24 per square foot of land area.

In support of its contention of the correct assessment the board of review submitted information on six comparables with four comparables having sales information. The comparable sales are located in the same neighborhood code assigned by the assessor as the subject property. Comparables #1 through #4 were described as one and one-half story single family dwellings of frame exterior construction and were built from 1940 to 1947. The comparables range in size from 1,103 to 1,781 square feet of living area and each comparable has one-car or two-car attached or detached garage. Two comparables have a basement. The comparables are situated on lots that range in size from 7,104 to 14,526 square feet of land area. The comparables sold from August 2009 to February 2011 for prices ranging from \$60,000 to \$430,000 or from \$42.92 to \$241.44 per square foot of living area, land included.

The Board also submitted two equity comparables. Comparables #5 and #6 have varying degrees of similarity when compared to the subject. The comparables contain 1,361 and 1,648 square feet of living area and have improvement assessments of \$33,410 and \$48,420 or \$24.55 and \$29.38 per square foot of living area.

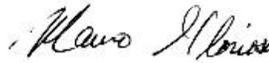
Conclusion of Law

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 parties submitted eight comparable sales for the Board's consideration. The Board gave little weight to the appellant's comparable #1 as the dwelling is considerably larger and newer in age when compared to the subject. Appellant's comparables #2 through #4 are comprised of vacant land while the subject is an improved property, nevertheless, his parcels sold for prices of either \$2.63 or \$2.66 per square foot of land area. The subject lots each have an assessment reflecting a market value of \$11.24 per square foot of land area, which is above the comparables. The Board gave little weight to board of review comparables #1 and #4. These comparables sold in August and October 2009, which are dated and less indicative of fair market value as of the January 1, 2011 assessment date. The Board finds the best evidence of overall market value to be the board of review comparables #2 and #3. These comparables have varying degrees of similarity when compared to the subject in location, dwelling size, design, exterior construction, age and other features. These most similar comparables sold in for prices of \$74,900 or \$191,000 or \$67.91 or \$121.27 per square foot of living area, including land. The subject's assessment reflects a market value of \$312,217 or \$219.56 per square foot of living area, including land, which is above the best comparable sales in this record. Based on this evidence the Board finds a reduction in the subject's assessment is justified.

The Property Tax Appeal Board gave no weight to the board of reviews comparables #5 and #6. The assessment information given did not address the market value argument raised by the appellant.

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



Member



Member



Member

Member

DISSENTING: _____

CERTIFICATION

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: July 22, 2016



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.