



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

APPELLANT: Kenneth Sophie  
DOCKET NO.: 13-02856.001-R-1  
PARCEL NO.: 06-12-210-030

The parties of record before the Property Tax Appeal Board are Kenneth Sophie, the appellant, by attorney David Lavin of Robert H. Rosenfeld and Associates, LLC, in Chicago; and the DuPage 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 DuPage County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND: \$ 44,130  
IMPR.: \$ 233,190  
TOTAL: \$ 277,320**

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 2013 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 two-story brick and frame dwelling that contains 4,003 square feet of living area. The dwelling was built in 2003. Features include a finished basement, central air conditioning, two fireplaces and a three-

car garage. The subject property has a 7,315 square foot site. The subject property is located in York Township, DuPage County, Illinois.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on three comparable sales. Their proximate location in relation to the subject was not disclosed. The comparables had varying degrees of similarity when compared to the subject in land area, design, age, size, and features. They sold in May or August of 2012 for prices ranging from \$700,000 to \$820,000 or from \$189.29 to \$221.24 per square foot of living area including land. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject property's final assessment of \$277,320 was disclosed. The subject's assessment reflects an estimated market value of \$832,293 or \$207.92 per square foot of living area including land when applying DuPage County's 2013 three-year average median level of assessment of 33.32%. 86 Ill.Admin.Code §1910.50(c)(1).

In support of the subject's assessment, the board of review submitted four comparable sales. The evidence was prepared by the York Township Assessor. Based on a map submitted, the comparables are located in close proximity to the subject while the appellant's comparables are located a considerable distance from the subject. The comparables had varying degrees of similarity when compared to the subject in land area, design, age, size, and features. They sold from April 2011 to May 2012 for prices ranging from \$775,000 to \$1,102,100 or from \$221.87 to \$267.57 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 did not meet this burden of proof.

The parties submitted seven suggested comparable sales for the Board's consideration. The Board gave less weight to appellant's comparables due to their distant location in relation to the subject. In addition, comparable #2 and #3 are smaller in dwelling size when compared to the subject. The Board also gave less weight to comparables #3 and #4 submitted the board of review. In addition to being smaller in dwelling size when compared to the subject, comparables #3 and #4 sold in 2011, which are less reliable indicators of market value as of the subject's January 1, 2013 assessment date. The Board finds comparables #1 and #2 submitted by the board of review are more similar when compared to the subject in location, land area, design, age, size and most features. These comparables sold in May 2012 for prices of \$850,000 and \$1,102,000 or \$221.87 and \$264.23 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$832,293 or \$207.92 per square foot of living area including land, which is less than the most similar comparable sales contained in this record, suggesting the subject property is undervalued. Therefore, no reduction in the subject's assessment is warranted. Based on this analysis, the Board finds the appellant failed to demonstrate the subject property was overvalued by a preponderance of the evidence.

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.

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Chairman

*K. L. Fan*

*Klaus Albrecht*

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Member

\_\_\_\_\_  
Member

*JR*

*Jerry White*

\_\_\_\_\_  
Member

\_\_\_\_\_  
Acting Member

*Robert Steffen*

\_\_\_\_\_  
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: December 18, 2015

*A. Proctor*

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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.