



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

APPELLANT: Jeffrey Hamerman
DOCKET NO.: 13-03308.001-R-1
PARCEL NO.: 09-08-418-037

The parties of record before the Property Tax Appeal Board are Jeffrey Hamerman, the appellant, by attorney Joanne Elliott of Elliott & Associates, P.C. in Des Plaines; and the DuPage 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 **DuPage** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$105,180
IMPR.: \$43,820
TOTAL: \$149,000

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 is improved with a one-story single family dwelling of brick exterior construction with 2,009 square feet of living area. The dwelling was constructed in 1957. Features of the property include a full basement that is partially finished, central air conditioning, an attached garage and a detached garage with a combined building area of 1,494 square

feet. The property has a 39,204 square foot site and is located in Downers Grove, Downers Grove Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$310,000 as of April 25, 2013. The appraisal was prepared by Pedro Alarcon a Certified Residential Real Estate Appraiser.

In estimating the market value of the subject property the appraiser developed the cost approach to value and arrived at an estimated value of \$340,300. The appraiser also developed the sales comparables approach to value using three comparable sales described as being improved with two bi-level dwellings and one bungalow style dwelling that ranged in size from 1,772 to 2,100 square feet of living area. The comparables ranged in age from 42 to 61 years old. Each comparable had a full or partial basement with finished area, central air conditioning and a two-car garage. These properties had sites ranging in size from 9,056 to 23,387 square feet of land area. The sales occurred from May 2012 to July 2012 for prices ranging from \$290,000 to \$317,500 or from \$140.00 to \$169.33 per square foot of living area, including land. The appraiser made adjustments to the comparables for differences from the subject to arrive at adjusted prices ranging from \$304,720 to \$325,720. The appraiser arrived at an estimated value under the sales comparison approach \$310,000. In reconciling the two approaches to value the appraiser gave most weight to the sales comparables approach to value. Based on this evidence the appellant requested the subject's assessment be reduced to \$103,323 to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$157,040. The subject's assessment reflects a market value of \$471,309 or \$234.60 per square foot of living area, land included, when using the 2013 three year average median level of assessment for DuPage County of 33.32% as determined by the Illinois Department of Revenue.

In rebuttal the board of review provided copies of the property record cards associated with the sales contained in the appellant's appraisal, which described the comparables as being improved with a one-story dwelling, a 1.5-story dwelling and a part two-story and part one-story dwelling. The board of review also indicated that appraisal comparables #1 and #3 are located in different neighborhoods than the subject property.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales improved with one-story dwellings of frame or brick construction that ranged in size from 1,708 to 2,030 square feet of living area. The dwellings were constructed from 1953 to 1964. Each comparable had a full or partial unfinished basement, one comparable had central air conditioning, each comparable had one or two fireplaces and each comparable had a garage that ranged in size 480 to 509 square feet of building area. The comparables had sites ranging in size from 8,002 to 36,225 square feet of land area. The board of review indicated that comparables #1 and #2 were located in the same neighborhood as the subject while comparables #3 and #4 were located in different neighborhoods than the subject property. The comparables sold from March 2011 to June 2012 for prices ranging from \$379,000 to \$520,000 or from \$206.29 to \$256.16 per square foot of living area, including land.

The board of review asserted that the subject property has the largest lot and largest garage of all the comparables submitted. It further noted there were limited properties in the subject's neighborhood that are ranch homes with large lots. The board of review submission also included a map depicting the location of the comparables with references to the subject property.

In rebuttal the appellant argued the board of review sales were raw and unadjusted. The appellant further argued that board of review sales #1, #2 and #3 confirm that an assessment reduction is warranted. The appellant also argued that board of review comparable sale #4 should be given little weight due to its location two-miles from the subject property, differences in quality classification and differences in exterior construction.

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 in the record supports a reduction in the subject's assessment.

The Board finds the best evidence of market value to be appraisal comparable sale #1 and board of review comparable sales #1 and #2. These three comparable sales were improved with dwellings most similar to the subject in style and location. These comparables also sold proximate in time to the assessment date at issue. However, these comparables were inferior to the subject in land area and garage size. These properties sold from March 2012 to June 2012 for prices ranging from \$290,000 to \$400,000 or from \$163.66 to \$221.90 per square foot of living area, including land. The subject's assessment reflects a market value of \$471,309 or \$234.60 per square foot of living area, including land, which is above the range established by the best comparable sales in the record. Less weight was given the remaining sales in the record due to differences from the subject in style, location and/or date of sale not being proximate in time to the assessment date at issue. 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.

Chairman



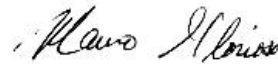
Member



Member



Acting Member



Member

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: February 19, 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.