



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

APPELLANT: Guy Pisani
DOCKET NO.: 13-03309.001-R-1
PARCEL NO.: 09-11-111-041

The parties of record before the Property Tax Appeal Board are Guy Pisani, 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 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: \$53,310
IMPR.: \$230,130
TOTAL: \$283,440

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 part two-story and part one-story dwelling of cedar and stone exterior construction with 3,292 square feet of living area. The dwelling was constructed in 2000. Features of the home include a full basement that is partially finished, central air conditioning, one fireplace and an attached garage with 494 square feet of building area. The

property has a 9,603 square foot site and is located in Clarendon Hills, 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 \$705,000 as of January 1, 2013. The appraisal was prepared by Beata P. Goczewski, Certified General Real Estate Appraiser; Harry M. Fishman, Certified General Real Estate Appraiser; and Mitchell J. Perlow, Certified General Real Estate Appraiser.

In estimating the market value of the subject property the sales comparison approach to value was developed using three comparable sales improved with part two-story and part one-story single family dwellings that ranged in size from 2,688 to 3,142 square feet of living area. The dwellings were constructed in 2004 and 2007. Each comparable had a full basement with one being partially finished, each comparable had central air conditioning, each comparable had one or two fireplaces and each comparable had a two-car or a three-car garage. The sales occurred from May 2012 to November 2012 for prices ranging from \$620,000 to \$680,000 or from \$203.69 to \$230.65 per square foot of living area, including land. After making adjustments for differences from the subject property the appraisers arrived at adjusted prices ranging from \$699,500 to \$708,000. Based on this analysis the appraisers estimated the subject property had a market value of \$705,000 as of January 1, 2013.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$283,440. The subject's assessment reflects a market value of \$850,660 or \$258.40 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 support of its contention of the correct assessment the board of review submitted a written narrative discussing the comparable sales contained in the appellant's appraisal, a grid analysis of the comparable sales contained in the appellant's appraisal, a grid analysis of four comparables selected by the assessor in support of the assessment, copies of the property record cards for the comparable sales in the record and a map depicting the location of the comparables in relation to the subject property.

With respect to the appraisal comparable sales the board of review argued each of these properties was located in a different less desirable neighborhood than the subject property.

The four comparable sales identified by the assessor were located in the same neighborhood as the subject property. The comparables were improved with part 2-story and part 1-story dwellings of frame or brick construction that ranged in size from 3,092 to 3,522 square feet of living area. The dwellings were constructed from 1998 to 2002. Each comparable had a full basement with two being partially finished, each comparable had central air conditioning, each comparable had one fireplace and each comparable had a garage ranging in size ranging from 484 to 552 square feet of building area. The comparables had sites ranging in size from 8,400 to 9,600 square feet of land area. The sales occurred from July 2011 to March 2013 for prices ranging from \$913,750 to \$1,015,000 or from \$268.31 to \$328.27 per square foot of living area, including land. The board of review was of the opinion that the subject's assessment was accurate based on the assessor's comparable sales that are located in the subject's neighborhood.

In rebuttal the appellants' counsel argued the board of review evidence was based on raw unconfirmed sales comparables. The appellant argued the board of review submitted no evidentiary documentation that the transactions were "arms length." The appellant argued that board of review comparable sale #4 was only on the market one day, therefore, this property was not listed for a reasonable amount of time to establish market value.

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 and a reduction in the subject's assessment is not warranted.

The record contains three comparable sales contained in the appraisal and four comparable sales provided by the board of review. The comparable sales presented by the parties were

relatively similar to the subject in style, size and features. The comparables contained in the appraisal were superior to the subject in age but were located in a different assessment neighborhood than the subject property. The comparables provided by the board of review were more similar to the subject in age and location. In all the comparables in this record sold from July 2011 to March 2013 for prices ranging from \$620,000 to \$1,015,000 or from \$203.69 to \$328.27 per square foot of living area. The subject's assessment reflects a market value of \$850,660 or \$258.40 per square foot of living area, including land, which is within the range established by the comparable sales in the record. Importantly, the Board finds those comparables most similar to the subject in location and age had prices ranging from \$913,750 to \$1,015,000 or from \$268.31 to \$328.27 per square foot of living area, including land. The subject's assessment reflects a market value below these comparables. 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. Fan

Mario Alvarez

Member

Member

JR

Member

Acting Member

Robert Hoffmann

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

A. Proctor

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.