



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

APPELLANT: Ranjan & Neela Dasgupta  
DOCKET NO.: 13-03849.001-R-1  
PARCEL NO.: 07-29-401-036

The parties of record before the Property Tax Appeal Board are Ranjan and Neela Dasgupta, the appellants, 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:

**LAND:** \$21,550  
**IMPR.:** \$36,780  
**TOTAL:** \$58,330

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellants 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 bi-level single family dwelling of frame and brick construction with 1,383 square feet of living area. The dwelling was constructed in 1993. Features of the home include a finished basement, central air conditioning, one fireplace and a two-car integral garage. The property and is located in Aurora, Naperville Township, DuPage County.

The appellants' appeal is based on overvaluation. In support of this argument the appellants submitted evidence disclosing the subject property was purchased on August 8, 2013 for a price of \$175,000. To document the transaction the appellants submitted a copy of the settlement statement, a copy of the Multiple Listing Service (MLS) listing sheet and a copy of the Listing & Property History Report. Based on this evidence, the appellants requested the subject's assessment be reduced to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$74,850. The subject's assessment reflects a market value of \$224,640 or \$162.43 per square foot of living area, including land, 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 information on three comparable sales identified by the Naperville Township Assessor's office. The comparables were described as being improved with bi-level style dwellings each with 1,372 square feet of living area. The comparables were constructed in 1989 and 1992. Each comparable has similar features as the subject property. The comparables sold from June 2012 to February 2013 for prices ranging from \$201,500 to \$222,000 or from \$146.86 to \$161.80 per square foot of living area, including land. Based on this evidence the board of review requested confirmation of the assessment.

### **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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value was the purchase of the subject property on August 8, 2013 for a price of \$175,000. The appellants provided evidence demonstrating the sale had elements of an arm's length transaction. The appellants completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, the property was sold using a Realtor and the property had been advertised on the open market with the MLS. In further support of the transaction the appellants submitted a copy of the settlement statement and a copy of the MLS listing describing the subject property as in need of some "TLC." The listing also described the subject property as being a "short sale." The Listing & Property History Report indicated the subject property had originally been listed for sale on March 17, 2010, with an asking price of \$329,000, and the listing was canceled on July 11, 2011. The property was listed again on August 3, 2011, with an asking price of \$329,000, and the listing was cancelled on February 12, 2013 with a listing price of \$180,000. The property was listed again on April 29, 2013, with an asking price of \$179,900, and sold in August 2013. In total the property had been on the market for 1,051 days. The Board finds the purchase price is below the market value reflected by the subject's assessment. The board of review provided on information on three sales that had prices below the market value reflected by the subject's assessment. Furthermore, the Board finds the board of review did not present any evidence to challenge the arm's length nature of the subject's transaction. Based on this record, 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.



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Chairman



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Member

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Member



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Member

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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: May 20, 2016



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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.