



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

APPELLANT: Andrew & Courtney Madaychik
DOCKET NO.: 13-03887.001-R-1
PARCEL NO.: 07-07-212-005

The parties of record before the Property Tax Appeal Board are Andrew and Courtney Madaychik, 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 **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: \$29,220
IMPR.: \$98,060
TOTAL: \$127,280

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 two-story single family dwelling of frame construction with 2,840 square feet of living area. The dwelling was constructed in 1998. Features of the home include a full basement that is partially finished, central air conditioning, one fireplace and a three-car attached garage with 725 square feet of building area. The property has a 13,064 square foot site and is located in Aurora, Naperville Township, DuPage County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on eight comparable sales improved with two-story dwellings of frame or frame and brick construction that ranged in size from 2,465 to 3,502 square feet of living area. The comparables sold from March 2012 to June 2013 for prices ranging from \$264,249 to \$350,000 or from \$93.38 to \$130.63 per square foot of living area, including land. Based on this evidence the appellants requested the subject's assessment be reduced to \$108,156.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$127,280. The subject's assessment reflects a market value of \$381,993 or \$134.50 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 information on four comparable sales identified by the Naperville Township Assessor's office. The comparables were improved with two-story dwellings of frame or frame and brick construction that ranged in size from 2,677 to 3,214 square feet of living area. The dwellings were constructed from 1996 to 1998. Each comparable had an unfinished basement, central air conditioning, one fireplace and a two-car or a three-car garage. One comparable also had a swimming pool. The sales occurred from July 2011 to November 2012 for prices ranging from \$370,000 to \$438,000 or from \$125.23 to \$145.17 per square foot of living area, including land.

The assessor also prepared a grid analysis of appellant's comparables #5 through #8 and made comments with respect to these comparables.

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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the best evidence of market value to be appellant's comparable sales #1 and #3 and the comparables submitted by the board of review. These comparable were similar to the subject property in size and features and sold for prices ranging from \$264,249 to \$438,000 or from \$99.16 to \$145.17 per square foot of living area, including land. The subject's assessment reflects a market value of \$381,993 or \$134.50 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Less weight was given to appellants' comparable sale #2 due to differences from the subject in features; less weight was given appellants' comparables #4, #5, #7 and #8 due to differences from the subject in size; and less weight was given appellants' comparables #5 and #6 because both were identified as being REO/Lender Owned, Pre-Foreclosure calling into question the arm's length nature of the transactions or whether their purchase prices reflect fair cash value. 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



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: May 20, 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.