



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

APPELLANT: Kevin Coogan
DOCKET NO.: 13-03965.001-R-1
PARCEL NO.: 03-17-407-010

The parties of record before the Property Tax Appeal Board are Kevin Coogan, the appellant, by attorney Richard J. Caldarazzo of Mar Cal Law, P.C., in Chicago; 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: \$22,100
IMPR.: \$45,920
TOTAL: \$68,020

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 raised ranch style dwelling of brick and frame exterior construction that has 1,312 square feet of above grade living area. The dwelling was constructed in 1976. Features include a 1,312 square foot lower level that is 90% finished, central air conditioning, a fireplace and a 526 square foot attached garage. The subject property is located in Addison Township, DuPage County, Illinois.

The appellant submitted evidence before the Property Tax Appeal Board claiming assessment inequity as the basis of the appeal. In support of the inequity claim, the appellant submitted information for three assessment comparables located in close proximity to the subject. The comparables consist of raised ranch style dwellings of brick and frame exterior construction that were built 1977 or 1979. The comparables have lower levels that contain from 725 to 1,014 square feet that are 90% finished. One comparable has central air conditioning and one

comparable has a fireplace. The comparables have built-in garages that contain from 484 to 505 square feet of building area. The dwellings range in size from 1,311 to 1,620 square feet of above grade living area and have improvement assessments ranging from \$41,720 to \$52,850 or from \$31.82 to \$32.67 per square foot of above grade living area. 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" disclosing the total assessment for the subject property of \$69,050. The subject property has an improvement assessment of \$46,950 or \$35.79 per square foot of above grade living area. In support of the subject's assessment, the board of review submitted an equity analysis of six assessment comparables located in close proximity to the subject. The comparables are improved with raised ranch style dwellings of brick and frame exterior construction. The comparables have lower levels that contain from 1,104 to 1,365 square feet that are 90% finished. All the comparables have central air conditioning, one comparable has a fireplace and each comparable has an attached garage that contains from 473 to 562 square feet of building area. The dwellings range in size from 1,184 to 1,409 square feet of living area and have improvement assessments ranging from \$41,230 to \$49,490 or from \$34.82 to \$35.46 per square foot of above grade living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The taxpayer contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The record contains nine assessment comparables for the Board's consideration. The Board gave less weight to comparable #2 submitted by the appellant due to its larger dwelling size when compared to the subject. The Board finds the remaining eight comparables were most similar when compared to the subject in location, age, design, dwelling size and features. These comparables have improvement assessments ranging from \$41,720 to \$49,490 or from \$31.82 to \$35.46 per square foot of above grade living area. The subject property has an improvement assessment of \$46,950 or \$35.79 per square foot of living area, which falls above the range established by the most similar assessment comparables contained in the record on a per square foot basis. After considering adjustments to the comparables for any differences when compared to the subject, the Board finds the subject's improvement assessment is excessive. Therefore, a reduction in the subject's assessment is warranted.

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



Acting 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: September 23, 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.