



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

APPELLANT: Akram Zenayed
DOCKET NO.: 13-04125.001-R-1
PARCEL NO.: 09-24-402-010

The parties of record before the Property Tax Appeal Board are Akram Zenayed, the appellant, by attorney Katherine Amari O'Dell of Amari & Locallo, 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 **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: \$244,590
IMPR.: \$269,910
TOTAL: \$514,500

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 part two-story and part one-story dwelling of brick exterior construction with 5,096 square feet of living area. The dwelling was constructed in 1999. Features of the home include an unfinished basement, central air conditioning, one fireplace, an indoor swimming pool, and a 1,025 square foot garage. The property is located in Downers Grove Township, DuPage County.

The appellant submitted evidence before the Property Tax Appeal Board contending assessment inequity as the basis of the appeal. In support of the inequity argument, the appellant submitted limited information on three equity comparables with varying degrees of similarity when compared to the subject. The comparables have improvement assessments ranging from \$204,220 to \$265,030 or from \$41.67 to \$43.02 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$514,500. The subject has an improvement assessment of \$269,910 or \$52.97 per square foot of living area. In support of its contention of the correct assessment, the board of review submitted information on three assessment comparables located in close proximity to the subject. The evidence was prepared by Joni Gaddis, Chief Deputy Assessor for Downers Grove Township. The comparables had varying degrees of similarity when compared to the subject. The comparables have improvement assessments ranging from \$226,240 to \$279,220 or from \$48.83 to \$49.77 per square foot of living area. The evidence disclosed the subject was improved with an indoor swimming pool. The pool enclosure had an assessment of \$26,736. Adjusting (deducting) the assessment of the subject's pool enclosure results in adjusted improvement assessment of \$243,174 or \$47.71 per square foot of 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 did not meet this burden of proof and no reduction in the subject's assessment is warranted.

The parties submitted six suggested assessment comparables for the Board's consideration. The Board gave less weight to comparables #3 submitted by the appellant due to its larger dwelling size when compared to the subject. The Board finds the remaining five comparables are more similar when compared to the subject in location, design, age, size and most features, although none of the comparables have a pool enclosure as the subject. These comparables have improvement assessments ranging from \$204,220 to \$279,220 or from \$41.67 to \$49.77 per square foot of living area. The subject has an improvement assessment of \$269,910 or \$52.97 per square foot of living area, which falls slightly above the range established by the most similar comparable properties contained in this record. After considering adjustments to the comparables for differences to the subject, the Board finds the subject's higher per square foot improvement assessment is justified given its superior characteristics. Based on this analysis, the Property Tax Appeal Board finds the appellant failed to demonstrate the subject property was inequitably assessed by clear and convincing evidence.

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: November 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.