



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

APPELLANT: Anthoula Godellas
DOCKET NO.: 13-05029.001-R-1
PARCEL NO.: 03-24-117-019

The parties of record before the Property Tax Appeal Board are Anthoula Godellas, the appellant, by attorney Michael Elliott of Elliott & Associates, P.C., in Des Plaines; 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: \$ 44,670
IMPR.: \$ 65,330
TOTAL: \$110,000

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) 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 one-story dwelling of brick exterior construction that contains 2,585 square feet of living area. The dwelling was built in 1957. Features include a full basement that is partially finished, central air conditioning, a fireplace and a two-car garage. The subject property has a 17,280 square foot site. The subject property is located in Addison Township, DuPage County, Illinois.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal of the subject property estimating a market value of \$310,000 as of January 1, 2011. The appraiser developed the sales comparison approach to value in arriving at the final opinion of value.

The appellant also submitted three comparable sales to further support that the subject property was overvalued. The comparables had varying degrees of similarity when compared to the subject in location, land area, design, age, dwelling size and features. They sold from December 2011 to September 2012 for prices ranging from \$200,000 to \$216,000 or from \$118.94 to \$129.03 per square foot of living area including land. 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" wherein the subject property's final assessment of \$124,250 was disclosed. The subject's assessment reflects an estimated market value of \$372,899 or \$144.26 per square foot of living area including land when applying DuPage County's 2013 three-year average median level of assessment of 33.32%.

In support of the subject's assessment, the board of review submitted six comparable sales and a letter addressing the appeal. The evidence was prepared by Christopher Kain, an assessor from Addison Township. The comparables had varying degrees of similarity when compared to the subject in location, land area, design, age, dwelling size and features. They sold from January 2011 to August 2013 for prices ranging from \$173,000 to \$205,000 or from \$144.31 to \$193.03 per square foot of living area including land.

In response to the appeal, the assessor noted appellant's comparables #1 and #3 resold in July 2015 and May 2013 for \$257,000 and \$214,000 or \$148.30 and \$139.60 per square foot of living area including land, respectively. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 met this burden of proof.

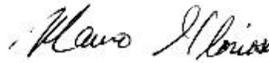
The appellant submitted an appraisal of the subject property estimating a market value of \$310,000 as of January 1, 2011. The Board gave little weight to the appraisal due to the fact the effective date of the appraisal was two years prior to the subject's January 1, 2013 assessment date. Moreover, comparable #1 is a dissimilar two-story style dwelling and comparable #3 is located 1.8 miles from the subject. These factors further undermine the credibility of the value conclusion of the appraisal report.

The parties also submitted nine suggested comparable sales for the Board's consideration. The Board finds both parties' comparables are not particularly similar to the subject due their smaller dwelling size when compared to the subject, but the comparables submitted by the appellant are closer in dwelling size when compared to the subject. The Board gave less weight to the 2015 sale of appellant's comparable #1 as disclosed by the board of review as this sale postdates the subject's January 1, 2013 assessment date by over two years. Similarly, the Board gave less to the 2011 sale of appellant's comparable #3 and board of review comparable #2 due to their 2011 sale dates,

which are dated and less indicative of market value as of the subject's January 1, 2013 assessment date. The Board finds the comparables submitted by the appellant provide the best indicators of market value for the subject property. These comparables were most similar when compared to the subject in location, land area, design, age, and features. They sold from March 2012 to May 2013 for prices ranging from \$207,000 to \$216,000 or from \$118.94 to \$139.60 per square foot of living area including land. The subject's assessment reflects an estimated market value \$372,899 or \$144.26 per square foot of living area including land, which is excessive in light of the most similar comparable sales contained in this record. After considering any necessary adjustments to the comparables for any differences when compared to the subject, such as dwelling size¹, the Board finds the subject's assessed valuation is not supported and a reduction in the subject's assessment is justified.

¹ Accepted real estate valuation theory provides, all other factors being equal, as the size of a property increases, the per unit value decreases. Likewise, as the size of a property decreases, the per unit value increases.

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.