



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

APPELLANT: Myung Rubinstein
DOCKET NO.: 14-02815.001-R-1
PARCEL NO.: 08-03-101-038

The parties of record before the Property Tax Appeal Board are Myung Rubinstein, the appellant, by attorney Laura Godek, of Laura Moore Godek, PC in McHenry; 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: \$107,940
IMPR.: \$303,640
TOTAL: \$411,580

Subject only to the State multiplier as applicable.

ANALYSIS

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 2014 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 two-story dwelling of brick construction with 6,052 square feet of living area.¹ The dwelling was constructed in 1997. Features of the home include a full, partially finished basement with a wine cellar, central air conditioning, three fireplaces, a tennis court and a 3-car garage. The property has a 1.50 acre site and is located in Lisle, Lisle Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$1,100,000 as of February 12, 2012. The appraisal was prepared for a mortgage refinance transaction. The appraiser utilized six comparable sales and two sale listings. The sales

¹ The appellant's appraiser reported the subject's size to be 6,762. The board of review explained that the appraiser included the screen porch area as living area. The Board accepts the board of review's claim as to the proper size.

occurred from March 2011 to February 2012 and sold for prices ranging from \$138.24 to \$314.71 per square foot of living area, including land. Two of the comparables were listed for \$269.68 and \$202.66, respectively, per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$411,580. The subject's assessment reflects a market value of \$1,234,863 or \$204.04 per square foot of living area, land included, when using the 2014 three year average median level of assessment for DuPage County of 33.33% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on six comparable sales that sold from January 2012 to August 2014 for prices ranging from \$890,000 to \$1,475,000 or from \$196.38 to \$259.44 per square foot of living area, including land. One of the board of review's comparables was also used by the appraiser.

The appellant submitted rebuttal arguing against the discrepancies in the board of review's comparables when compared to the subject.

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 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 board of review comparable sales #3, #4 and #5. The Board gave little weight in its analysis to the final opinion of value found in the appraisal based on various adjustments which were not made for date of sale and/or age. Further the remaining comparables were also given diminished weight based on dissimilar size, basement finish, age and/or the date of sale being too remote from the assessment date in question. The three most similar sales sold for prices ranging from \$230.39 and \$259.44 per square foot of living area, including land. The subject's assessment reflects a market value of \$204.04 per square foot of living area, including land, which is below the best comparable sales in this record. 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: July 22, 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.