



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

APPELLANT: Natan Zadik
DOCKET NO.: 14-02830.001-R-1
PARCEL NO.: 09-28-400-028

The parties of record before the Property Tax Appeal Board are Natan Zadik, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld and Associates, LLC 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: \$30,060
IMPR.: \$32,640
TOTAL: \$62,700

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a 2013 tax year decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) in order to challenge 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 one-story dwelling of frame construction with 1,198 square feet of living area. The dwelling was constructed in 1961. Features of the home include a detached 252 square foot garage. The property has an 11,100 square foot site and is located in Darien, Downers Grove Township, DuPage County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted limited evidence disclosing the subject property was purchased on September 6, 2013 for a price of \$155,000. A copy of the Settlement Statement reflecting the date and purchase price and depicting the payment of brokers' fees was the only evidence submitted in support of this appeal based upon the recent sale price of the subject property. 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 of \$62,700. The subject's assessment reflects a market value of \$188,119 or \$157.03 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 response to the appeal, the board of review submitted a memorandum and data gathered by the Downers Grove Township Assessor's Office. The assessor acknowledged that the subject was purchased in September 2013 for \$155,000 as a short sale. The assessor further noted that at the time of purchase the property was in need of updating and remodeling (see copies of listing and photographs). Since the purchase, the property has been remodeled in the kitchen and bathroom as listed for rental (see listing and photographs), although no building permits were issued for this work.

In support of its contention of the correct assessment the board of review through the township assessor submitted information on three comparable sales in the subject's neighborhood code as assigned by the assessor which also have updated kitchens and bathrooms. The comparables consist of one-story frame dwellings that were built between 1960 and 1963. The homes contain either 1,192 or 1,198 square feet of living area. One of the comparables has a basement with finished area and two of the comparables have central air conditioning. Each comparable has a garage of either 252 or 546 square feet of building area. The properties sold between October 2012 and September 2013 for prices ranging from \$221,000 to \$230,500 or from \$184 to \$192 per square foot of living area, including land, rounded.

Based on this evidence and argument, 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 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 in the record to be the three comparable sales submitted by the board of review. These comparables were similar to the subject in location, style, exterior construction, size, some features and age. These properties are superior to the subject in air conditioning feature or basement foundation and sold fairly proximate in time to the assessment date at issue. The comparables sold between October 2012 and September 2013 for prices ranging from \$221,000 to \$230,500 or from \$184 to \$192 per square foot of living area, including land, rounded. The subject's assessment reflects a market value of \$188,119 or \$157.03 per square foot of living area, including land, which is below the range established by the best comparable sales in this record which is logical given the subject's lack of air conditioning and lack of a basement foundation.

Additionally, the Property Tax Appeal Board gave little weight to the subject's sale due to the fact that since the sale, the subject property has been remodeled/renovated as shown in the rental listing and photographs. Therefore, the subject property no longer reflects the poor condition that existed at the time of the sale transaction in September 2013 for a purchase price of \$155,000.

Based on this record the Board finds no reduction in the subject's assessment is warranted on grounds of overvaluation.

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: August 19, 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.