



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

APPELLANT: Nick Okray
DOCKET NO.: 14-02940.001-R-1
PARCEL NO.: 06-03-105-014

The parties of record before the Property Tax Appeal Board are Nick Okray, the appellant, by Dennis D. Koonce, Attorney at Law, in Frankfort, 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: \$19,750
IMPR.: \$46,130
TOTAL: \$65,880

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 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 split-level single-family dwelling of frame exterior construction with 1,296 square feet of living area. The dwelling was constructed in 1974. Features of the home include a partial basement/lower level with finished area, central air conditioning, a fireplace and an attached two-car garage. The property has an 18,850 square foot site and is located in Villa Park, York Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an exterior-only inspection appraisal prepared for a refinance transaction which estimated the subject property had a market value of \$163,000 as of April 21, 2014. As to the subject property, the appraiser reported that the lack of a functional kitchen is considered an adverse condition affecting livability and marketability of the property; the borrower/owner reported that kitchen restoration was in progress as the former owner stripped the kitchen. The

appraiser made a \$10,000 downward adjustment to each of the comparables for their superior functional utility.

In the report, the appraiser utilized the sales comparison approach to value in estimating the subject's market value. The appraiser examined six comparable sales, four of which are dissimilar one-story dwellings when compared to the subject's split-level design. The appraiser made no adjustment for this design difference in the report. The comparables had sales or asking prices ranging from \$96,000 to \$234,900 or from \$75.29 to \$173.42 per square foot of living area, including land. After adjustments for differences, the appraiser reported adjusted sales prices ranging from \$158,000 to \$178,900. From this data, the appraiser opined the subject's estimated market value of \$163,000. Based on this evidence, the appellant requested an assessment reflective of the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$65,880. The subject's assessment reflects a market value of \$197,660 or \$152.52 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 prepared by the York Township Assessor's Office on five comparable sales. The comparables consist of split-level dwellings that were built between 1949 and 1988. The homes range in size from 1,124 to 2,062 square feet of living area, including land. The grid analysis indicated each comparable has a basement and a garage. The properties sold between June 2012 and July 2013 for prices ranging from \$169,500 to \$305,000 or from \$141.78 to \$192.56 per square foot of living area, including land.

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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Property Tax Appeal Board has given reduced weight to the appellant's appraisal report as most of the comparable sales were dissimilar one-story dwellings and no adjustment was made in the report to reflect the design difference which makes the appraiser's value conclusion less reliable as an indicator of the subject's market value. The Board has also given reduced weight to board of review comparable sales #1 and #2 as these dwellings differed in age, dwelling size and/or date of sale when compared to the assessment date at issue of January 1, 2014.

The Board finds the best evidence of market value to be the board of review comparable sales #3, #4 and #5. These board of review comparable sales sold between April 2013 and July 2013

for prices ranging from \$169,500 to \$266,500 or from \$141.78 to \$192.56 per square foot of living area, including land. The subject's assessment reflects a market value of \$197,660 or \$152.52 per square foot of living area, including land, which is within the range established by the best comparable sales in the 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



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.