



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

APPELLANT: Cindy Ruginis
DOCKET NO.: 14-03186.001-R-1
PARCEL NO.: 09-20-211-036

The parties of record before the Property Tax Appeal Board are Cindy Ruginis, the appellant, by attorney Franco A. Coladipietro of Amari & Locallo in Bloomingdale; and the DuPage County Board of Review.

Based on the facts and exhibits presented, 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: \$ 52,500
IMPR.: \$ 115,100
TOTAL: \$ 167,600

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 is improved with a one-story dwelling of frame construction with approximately 2,745 square feet of living area. The dwelling was constructed in 2012. Features of the home include a full unfinished basement, central air conditioning, one fireplace, a two-car garage with 575 square feet of building area and an in-ground swimming pool. The property has a 12,142 square foot site and is located in Downers Grove, Downers Grove 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 \$430,000 as

of June 27, 2012. The appraisal identified the client as PinPoint Mortgage and the assignment type was a refinance transaction. In estimating the market value of the subject property the appraiser developed the cost approach to value and the sales comparison approach to value. Under the cost approach to value the appraiser arrived at an estimated value of \$431,847.

In developing the sales comparison approach to value the appraiser used five sales and two listings improved with one ranch style dwelling and six two-story style dwellings that ranged in size from 2,182 to 2,888 square feet of living area. The appraiser indicated the dwellings ranged in age from 1 to 44 years old. Each comparable had a basement with two being partially finished, central air conditioning, one or two fireplaces and a two-car garage. Comparables #1 through #5 sold from August 2011 to May 2012 for prices ranging from \$373,000 to \$468,000 or from \$170.94 to \$190.24 per square foot of living area, including land. The two listings had prices of \$485,000 and \$479,000 or for \$167.94 and \$165.86 per square foot of living area, including land, respectively. The appraiser made adjustments to the comparables for differences from the subject property and the fact that comparables #6 and #7 were listings to arrive at adjusted prices ranging from \$410,650 to \$468,852. The appraiser arrived at an estimated value under the sales comparison approach of \$430,000.

In reconciling the two approaches to value the appraiser gave most emphasis to the sales comparison approach and arrived at an estimated market value of \$430,000 as of June 27, 2012. The appellant requested the subject's assessment be reduced to \$143,319.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$167,600. The subject's assessment reflects a market value of \$502,850 or \$183.19 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.

The board of review submitted a narrative pointing out appraisal comparable sales #1 and #3 were originally built in 1965 and 1968, respectively, and were much older than the subject property. The board of review also noted appraisal sale #4 sold in August 2011 and sold again February 2015 for \$525,000 or approximately \$210.00 per square foot of living area, including land. The board of review also stated appraisal comparable #5 sold in September 2011 and sold again in October 2013 for a price of \$522,000 or approximately \$209.00 per square foot of living area, including land. The board of review also noted the subject property has an in-ground swimming pool and apron that was not mentioned in the appellant's appraisal. The board of review also pointed out the subject lot was purchased in March 2004 for a price of \$282,500 while the cost approach contained in the appraisal indicates a land value of \$75,000. The board of review

also stated a permit for the subject house was issued in the amount of \$325,000 and the building permit for the in-ground swimming pool was issued in August 2012 in the amount of \$30,000.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales identified by the township assessor improved with part two-story and part one-story dwellings of frame construction that ranged in size from 2,790 to 2,992 square feet of living area that were constructed in 2012 and 2013. Each comparable had a full or partial unfinished basement, central air conditioning, one fireplace and a garage ranging in size from 506 to 684 square feet of building area. The comparables sold from June 2012 to January 2013 for prices ranging from \$517,249 to \$569,001 or from \$180.23 to \$197.02 per square foot of living area. Based on this evidence, the board of review requested confirmation of the 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 gave little weight to the conclusion of value contained in the appellant's appraisal due to the fact the valuation date was approximately 18 months prior to the assessment date at issue; three of the sales used in the sales comparison approach to value sold in 2011, more than two-years prior to the assessment date at issue; sales #1 and #3 contained in the appraisal was not similar to the subject in age; comparables #6 and #7 were listings; and the appraisal did not include the subject's in-ground swimming pool.

The Board finds the best evidence of value to be the comparable sales submitted by the board of review. Each of these comparables differed from the subject in style but were relatively similar to the subject in age, size and features with the exception none had a swimming pool. These comparables sold from February 2012 to January 2013 for prices ranging from \$517,249 to \$569,001 or from \$180.23 to \$197.02 per square foot of living area, including land. The subject's assessment reflects a market value of \$502,850 or \$183.19 per square foot of living area, including land, which is below the overall price range but within the range established by the best comparable sales in the record on a square foot basis. 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.

Mario Albino

Chairman

K. L. Ferr

Member

JR

Member

Jerry White

Acting Member

Robert Hoffmann

Member

DISSENTING: _____

C E R T I F I C A T I O N

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: April 22, 2016

A. Heston

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.