



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

APPELLANT: Joseph Laspisa
DOCKET NO.: 14-03284.001-R-1
PARCEL NO.: 03-28-426-016

The parties of record before the Property Tax Appeal Board are Joseph Laspisa, the appellant,¹ 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: \$21,660
IMPR.: \$24,330
TOTAL: \$45,990

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 1.5-story dwelling of frame construction with 1,200 square feet of living area. The dwelling was constructed in 1954. Features of the home include a full basement with finished area, central air conditioning and a detached two-car garage. The property has a 7,300 square foot site and is located in Addison, Addison Township, DuPage County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant completed Section IV – Recent Sale Data of the appeal petition disclosing the subject property was purchased on January 18, 2013 for a price of \$103,000. The appellant further reported that the parties to the transaction were not related, the property was sold using a Realtor and the property had been advertised on the open market with the Multiple Listing Service for a period of 14 days and "560 total." In further support of the transaction the appellant submitted a copy

¹ Attorney Jerri K. Bush withdrew her appearance as counsel for the appellant by a filing dated March 18, 2016.

of the Settlement Statement reiterating the purchase price and date. The Settlement Statement also depicted the distribution of brokers' fees to two entities. The appellant also provided a copy of the Multiple Listing Service data sheet depicting that the property was an REO/Lender Owned, Pre-Foreclosure, sold "as-is" available for cash financing and that buyers were "responsible for any village req. inspections, fees, repairs and or escrows." The appellant also submitted a copy of the Listing & Property History Report depicting three consecutive listing dates. Most recently the listing was made on October 18, 2012 with an asking price of \$84,900, which reportedly was on the market for 14 days. An April 1, 2012 listing reflected asking prices of \$105,000 and \$95,000 for a period of 193 days and the oldest recent listing commenced in April 2011 with an asking price of \$189,000. The oldest recent listing ended in April 2012 after 353 days on the market. In Section IV, the appellant did not report whether renovations were made before the subject dwelling was occupied and did not report the expenditure amount or the date the dwelling was occupied.

Based on this evidence, the appellant requested an assessment reflective of the sale price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$45,990. The subject's assessment reflects a market value of \$137,984 or \$114.99 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 and the assessor pointed out that the sale of the subject occurred in January 2013, a year prior to the valuation date at issue in this appeal.

In support of its contention of the correct assessment the board of review through the township assessor submitted information on three comparable sales, two of which were located in the same neighborhood code assigned by the assessor as the subject property. The comparables consist of 1.5-story frame dwellings that were built in 1950 or 1954. The homes contain either 1,221 or 1,428 square feet of living area. Each comparable has a partial basement, one of which has finished area, and a garage of either 336 or 528 square feet of building area. The comparables sold between January 2014 and July 2014 for prices ranging from \$160,000 to \$183,500 or from \$119.05 to \$131.04 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 Board finds the best evidence of market value in the record to be the comparable sales submitted by the board of review. These comparables were similar to the subject in location,

style, construction, features, age and land area. These properties also sold more proximate in time to the assessment date at issue. The comparables sold for prices ranging from \$160,000 to \$183,500 or from \$119.05 to \$131.04 per square foot of living area, including land. The subject's assessment reflects a market value of \$137,984 or \$114.99 per square foot of living area, including land, which is below the range established by the best comparable sales in this record.

The Board gave little weight to the subject's sale due to the fact the sale did not occur proximate in time to the assessment date at issue, having sold in January 2013. Due to the more recent sales of very similar properties, the Property Tax Appeal Board finds the appellant failed to establish that the subject property is overvalued based on its assessment and 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



Acting 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: _____

April 21, 2017



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.