



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

APPELLANT: Faraz Mota - Mota Venture Group
DOCKET NO.: 14-03310.001-R-1
PARCEL NO.: 03-34-118-007

The parties of record before the Property Tax Appeal Board are Faraz Mota - Mota Venture Group, the appellant; and the DuPage County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **A Reduction** 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: \$13,000
IMPR.: \$3,000
TOTAL: \$16,000

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 single family dwelling of frame construction with 721 square feet of living area. The dwelling was constructed in 1936. Features of the home include a slab foundation and central air conditioning. The property has a 7,245 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 submitted evidence disclosing the subject property was purchased on June 14, 2013 for a price of \$48,000. The appellant completed Section IV – Recent Sale Data indicating the seller was Kenneth Born and the parties to the transaction were not related. The appellant also indicated that the property was sold through a Realtor, the property was listed in the Multiple Listing Service (MLS) and the property had been on the market for 97 days. The appellant also submitted a copy of the settlement statement documenting the sale, a copy of the MLS listing for the subject property and a copy of the Listing & Property History Report. Based on this

evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$27,180. The subject's assessment reflects a market value of \$81,548 or \$113.10 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 statement from the township assessor that for the 2013 tax year the board of review had reduced the subject's assessment to \$27,730. The assessor indicated the subject's assessment was not reduced fully to the sale price due to the fact the building value would be below the assessor's minimum value of \$5,000 for a home that is habitable. The assessor also indicated that they do not change land value when considering a sale price.

The board of review also submitted information on four comparable sales that were identified by the Addison Township Assessor's Office that were improved with ranch style dwellings of frame or frame and brick construction that ranged in size from 1,016 to 1,377 square feet of living area. The dwellings were constructed from 1947 to 1963. One comparable had central air conditioning, two comparables had basements and three comparables had attached or detached garages ranging in size from 300 to 660 square feet of building area. The sales occurred from May 2013 to July 2014 for prices ranging from \$117,500 to \$150,000 or from \$87.15 to \$147.64 per square foot of living area, including land. To document the comparables the board of review provided copies of their property record cards as well as copies of the PTAX-203 Illinois Real Estate Transfer Declarations associated with the sales. The board of review submission also included a copy of the PTAX-203 Illinois Real Estate Transfer Declaration associated with the sale of the subject property.

In rebuttal the appellant provided information disclosing that board of review comparable #1 had previously sold in March 2014 for a price of \$60,000 and noted the property had been rehabbed prior to being sold in June 2014 for a price of \$117,500.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the purchase of the subject property in June 2013 for a price of \$48,000. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, the property was sold using a Realtor, the property had been advertised on the open market with the Multiple Listing Service and it had been on the market for 97 days. In further support of the transaction the

appellant submitted a copy of the settlement statement and the subject's MLS listing sheet. Furthermore, the board of review provided a copy of the subject's PTAX-203 Illinois Real Estate Transfer Declaration disclosing the purchase price and indicated the subject had been advertised for sale. The Board finds the purchase price is below the market value reflected by the assessment. The Board finds the board of review evidence did not challenge the arm's length nature of the transaction. The Board further finds the sales provided by the board of review did not refute the contention that the purchase price was reflective of market value due to the fact the comparables were newer than the subject dwelling, larger than the subject dwelling and/or had more features than the subject dwelling. Based on this record the Board a reduction in the subject's assessment is 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: December 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.