



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

APPELLANT: Douglas and Kristin Chang
DOCKET NO.: 14-03316.001-R-1
PARCEL NO.: 08-20-303-001

The parties of record before the Property Tax Appeal Board are Douglas and Kristin Chang, the appellants; 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: \$72,730
IMPR.: \$133,940
TOTAL: \$206,670

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 and masonry construction with 3,784 square feet of living area. The dwelling was constructed in 1970. Features of the home include a basement that is partially finished, central air conditioning, two fireplaces and an attached three-car garage with 600 square feet of building area. The property has a 46,292 square foot site and is located in Naperville, Lisle Township, DuPage County.

The appellants' appeal is based on overvaluation. In support of this argument the appellants submitted evidence disclosing the subject property was purchased on March 27, 2013 for a price of \$620,000. The appellants completed Section IV – Recent Sale Data of the appeal identifying the sellers as Sean and Crissy Drendel and indicated the parties to the transaction were not related. The appellants further indicated the property was sold through a Realtor, the property had been advertised in the Multiple Listing Service (MLS) and had been on the market for 147 days. To document the sale the appellants provided a copy of the settlement statement, a copy of

the MLS listing disclosing the property was a short sale, and a copy of the Listing & Property History Report disclosing the property was originally listed for sale in July 2012 for a price of \$749,900. Based on this evidence, the appellants 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 \$216,520. The subject's assessment reflects a market value of \$649,625 or \$171.68 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 on three comparable sales identified by the township assessor's office. The comparables were improved with one-story dwellings of frame or brick construction that ranged in size from 2,378 to 2,950 square feet of living area. The dwellings were constructed from 1978 to 1983. Each comparable had a basement that was partially finished, central air conditioning, one or two fireplaces and a garage ranging in size from 520 to 576 square feet of building area. The sales occurred from March 2014 to October 2014 for prices ranging from \$405,000 to \$610,000 or from \$170.31 to \$206.78 per square foot of living area, including land.

The board of review submission also included copy of the Lis Pendens and Notice of Foreclosure with respect to the subject property that was filed on June 25, 2012. The board of review also provided a copy of the PTAX-203 Illinois Real Estate Transfer Declaration associated with the sale of the subject property. The transfer declaration documented the price of \$620,000 and indicated the property had been advertised for sale. The document also indicated that the sale was the fulfillment of an installment contract initiated in 2012.

The appellant filed a rebuttal statement asserting the sale of the subject property was the best evidence of value.

Conclusion of Law

The appellants contend 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 appellants 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 March 2013 for a price of \$620,000. The appellants provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellants 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 the Multiple Listing Service and it had been on the market for 147 days. In further support of the transaction the appellant submitted a copy of the settlement statement and the board of review provided a copy of the PTAX-203 Illinois Real Estate Transfer Declaration. 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 or refute the contention that the purchase price was reflective of market value. The Board finds that the sales provided by the board of review support the conclusion that the subject's purchase price was reflective of fair cash value when considering differences between the subject dwelling and the comparable dwellings in size. Based on this record the Board finds 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: January 27, 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.