



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

APPELLANT: Todd Molis
DOCKET NO.: 14-03538.001-C-1
PARCEL NO.: 09-35-402-002

The parties of record before the Property Tax Appeal Board are Todd Molis, the appellant, by attorney Richard J. Caldarazzo, of Mar Cal Law, P.C. in Chicago; 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: \$52,070
IMPR.: \$151,670
TOTAL: \$203,740

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 two-story office building of brick exterior construction with 6,450 square feet of building area. The building was constructed in 1982. The property has a 27,087 square foot site and is located in Burr Ridge, Downers Grove Township, DuPage County.

The appellant contends assessment inequity as the basis of the appeal. In support of this argument the appellant submitted information on three equity comparables located within five blocks of the subject property. The comparables consists of one-story buildings of frame and brick exterior construction. The appellant reported buildings that range in size from 11,320 to 93,200 square feet of building area and have improvement assessments ranging from \$93,640 to \$162,710 or from \$16.45 to \$17.11 per square foot of building area. Based on this evidence, the appellant requested the total assessment be reduced to \$160,430.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$203,740. The subject property has an improvement assessment of \$151,670 or \$23.51 per square foot of building area.

The property record cards supplied by the board of review reported the appellant's comparables ranged in size from 5,474 to 12,186 square feet of building area and had improvement assessments ranging from \$93,640 to \$155,100 or from \$8.42 to \$17.11 per square foot of building area.

In support of its contention of the correct assessment the board of review submitted information on seven equity comparables located within the same neighborhood as the subject property. The comparables are improved with part one, part two-story and two-story buildings of block, stucco and brick exterior construction that were constructed from 1970 to 1989. The comparables had features of similarity when compared to the subject. The buildings range in size from 4,176 to 8,836 square feet of building area and have improvement assessments ranging from \$93,600 to \$255,820 or from \$22.41 to \$30.32 per square foot of building area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The taxpayer contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted information on a total of ten suggested equity comparables for the Board's consideration. The Board gave less weight to the appellant's comparables due to their dissimilar design and larger size when compared to the subject. The Board finds the best evidence of assessment equity to be the board of review's comparables. These comparables are more similar when compared to the subject in location, age, design, size and features. The board of review's comparables had improvement assessments that ranged from \$22.41 to \$30.32 per square foot of building area. The subject's improvement assessment of \$23.51 per square foot of building area falls within the range established by the best comparables in this record. Based on this record the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed 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



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.