



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

APPELLANT: William Voss
DOCKET NO.: 15-04956.001-R-2
PARCEL NO.: 09-12-315-016

The parties of record before the Property Tax Appeal Board are William Voss, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld and Associates, LLC 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: \$179,840
IMPR.: \$538,310
TOTAL: \$718,150

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 2015 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 part two-story/part one-story dwelling of frame construction with 5,130 square feet of living area. The dwelling was constructed in 2007. Features of the home include a partial basement with finished area, central air conditioning, five fireplaces and an 813 square foot garage. The property has a 21,673 square foot site and is located in Hinsdale, 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 \$1,740,000 as of January 1, 2015. The appraiser developed the sales comparison approach and the cost approach but gave primary emphasis to the sales comparison approach for estimating the market value of the subject property. Using the cost approach, the appraiser estimated a market value of \$1,826,837. Under the sales comparison approach, the appraiser considered four comparable

properties that sold from February 2013 to November 2014 for prices that ranged from \$1,380,000 to \$1,775,000 or from \$281.69 to \$342.06 per square foot of living area, land included. After making adjustments to the comparables' sale prices for differences from the subject, the appraiser concluded that the subject property had a market value of \$1,740,000 as of January 1, 2015. Based upon the appraisal, the appellant requested that the subject's total assessment be reduced to \$579,942.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$718,150. The subject's assessment reflects a market value of \$2,156,607 or \$420.39 per square foot of living area, land included, when using the 2015 three-year average median level of assessment for DuPage County of 33.30% 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, located in the same neighborhood as the subject, that sold from August 2013 to September 2015 for prices that ranged from \$2,137,500 to \$2,688,000 or from \$447.83 to \$552.18 per square foot of living area, land included. The comparables had varying degrees of similarity when compared to the subject in location, land area, design, age, living area and features. As part of their submission, the board of review noted that the appraiser's comparables were not located in the same neighborhood as the subject property. 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 appellant submitted an appraisal of the subject property estimating the subject had a market value of \$1,740,000 as of January 1, 2015. The Board gave less weight to the appraisal due to the fact that none of the appraiser's comparable sales were located in the same neighborhood as the subject. Moreover, two of the sales occurred in February and May 2013. The Board finds these sales to be dated and less indicative of market value as of the January 1, 2015 assessment date, particularly where no adjustment for time was made in the report. The Board also gave less weight to board of review comparable #1. This comparable sold in August 2013 and was also found to be dated. The Board finds the best evidence of market value in the record to be board of review comparables #2 and #3. These comparables were located in the same neighborhood as the subject and were also very similar in age, living area and features. Moreover, comparables #2 and #3 sold in September 2015 and September 2014 for prices of \$2,688,000 and \$2,137,500 or \$552.18 and \$447.83 per square foot of living area, land included, respectively. The subject's assessment reflects a market value of \$2,156,607 or \$420.39 per square foot of living area, land included, which is less than the market value on a per square foot basis of the best comparable sales in the record, which is logical given the subject's larger dwelling size. Based upon 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.



Chairman



Member



Acting 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:

June 23, 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.