



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

APPELLANT: Dennis Tsai  
DOCKET NO.: 15-04959.001-R-1  
PARCEL NO.: 08-17-418-011

The parties of record before the Property Tax Appeal Board are Dennis Tsai, 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:** \$69,480  
**IMPR.:** \$126,220  
**TOTAL:** \$195,700

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 and part one-story dwelling of frame construction with 3,216 square feet of living area. The dwelling was constructed in 1996. Features of the home include a partial unfinished basement, central air conditioning, a fireplace and a 441 square foot garage. The property has an 11,522 square foot site and is located in Naperville, Lisle 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 in the same neighborhood as the subject property. The comparables are improved with part two-story and part one-story dwellings of frame construction. The dwellings were constructed in 1998 or 2000. The comparables had features of similarity when compared to the subject. The dwellings range in size from 3,032 to 3,105 square feet of living area and have improvement assessments ranging

from \$103,080 to \$104,380 or from \$33.61 to \$34.30 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's total assessment to \$178,320.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's total assessment of \$195,700. The subject property has an improvement assessment of \$126,220 or \$39.25 per square foot of living area. In support of its contention of the subject's correct assessment, the board of review submitted information on three equity comparables located in the same neighborhood as the subject. The comparables are improved with part two-story and part one-story dwellings. Two comparables have frame exterior construction. The dwellings were constructed in 1995 or 1998. The comparables had features of similarity when compared to the subject. The dwellings range in size from 3,224 to 3,258 square feet of living area and have improvement assessments ranging from \$126,980 to \$128,850 or from \$39.29 to \$39.59 per square foot of living 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 presented assessment data on a total of six suggested comparables. The Board finds that all of the comparables submitted were very similar to the subject in location, design, age, living area and features and five of the comparables had frame exterior construction like the subject. All of the comparables had improvement assessments that ranged from \$33.61 to \$39.59 per square foot of living area. The subject's improvement assessment of \$39.25 per square foot of living area falls within the range established by the comparables in this record. Based on this record, the Board finds the appellant was not able to 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



Acting 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: \_\_\_\_\_

May 19, 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.