



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

APPELLANT: Linas Urbonas
DOCKET NO.: 15-05044.001-R-1
PARCEL NO.: 06-09-412-042

The parties of record before the Property Tax Appeal Board are Linas Urbonas, the appellant, by attorney Dennis D. Koonce in Frankfort; 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: \$20,580
IMPR.: \$33,090
TOTAL: \$53,670

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 one-story dwelling of frame, aluminum or vinyl exterior construction with 908 square feet of living area. The dwelling was constructed in 1954. Features of the home include an unfinished full basement, central air conditioning and a one-car attached garage. The property has a 9,355 square foot site and is located in Villa Park, York 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 28, 2014 for a price of \$126,744 or \$139.59 per square foot of living area, including land. The appellant identified the seller as Deutsche Bank and further indicated the property had been advertised for sale in the Multiple Listing Service (MLS) and had been on the market for 57 days. To document the transaction, the appellant provided a copy of the settlement statement and a copy of the subject's MLS listing sheet. The listing sheet indicates the subject property was REO/Lender Owned at

the time of sale and also indicated the property was sold "as is" without repair, warranty or seller disclosure. The appellant requested the subject's assessment be reduced to \$40,333.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$53,670. The subject's assessment reflects a market value of \$161,171 or \$177.50 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 five comparable sales improved with one-story dwellings that ranged in size from 948 to 1,050 square feet of living area. The dwellings were constructed from 1950 to 1953. Each comparable has a full basement and a one-car or two-car garage. These properties have sites ranging in size from 8,951 to 19,716 square feet of land area. The comparables have the same assessment neighborhood code as the subject property. The sales occurred from June 2013 to July 2014 for prices ranging from \$184,900 to \$210,000 or from \$191.80 to \$211.54 per square foot of living area, including land. The board of review contends the comparable sales shows that the subject property's assessed market value is a reasonable one.

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 provided evidence that the subject property was purchased in June 2014 for a price of \$126,744 or \$139.59 per square foot of living area, including land. The record disclosed, however, the property was REO/Lender Owned and was sold by Deutsche Bank National Trust Company. The fact the property was lender owned and sold by a bank calls into question the arm's length nature of the transaction. Furthermore, the board of review provided information on five comparables that were similar to the subject property in location, style, size, age and features. These properties sold from June 2013 to July 2014 for prices ranging from \$184,900 to \$210,000 or from \$191.80 to \$211.54 per square foot of living area, including land. Board of review sales #1 and #2 were most similar to the subject in size and land area and sold in 2014 for prices of \$184,900 and \$198,500 or for \$191.80 and \$209.39 per square foot of living area, including land. The subject's purchase price of \$139.59 per square foot of living area, including land, is significantly below the range established by the sales submitted by the board of review, which further calls into question whether the purchase price was reflective of fair cash value.

The subject's assessment reflects a market value of \$161,171 or \$177.50 per square foot of living area, including land. After considering the sale of the subject property and the sales provided by the board of review, the Property Tax Appeal Board finds the subject's assessment is indicative of the property's fair cash value and a reduction in the 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. Pursuant to Section 1910.50(b) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(b)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.



Chairman



Member



Acting Member



Member



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: October 20, 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 or years of the same general assessment period, as provided in Sections 9-125 through 9-225, 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 such subsequent year or years 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 OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

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.

PARTIES OF RECORD

AGENCY

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APPELLANT

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