



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

APPELLANT: Andrew & Virginia Turza
DOCKET NO.: 15-05355.001-R-1
PARCEL NO.: 09-07-210-041

The parties of record before the Property Tax Appeal Board are Andrew & Virginia Turza, the appellants, 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: \$49,930
IMPR.: \$217,500
TOTAL: \$267,430

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 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 3,289 square feet of living area. The dwelling was constructed in 2008. Features of the home include a partial basement that is 50% finished, central air conditioning, two fireplaces and a 484 square foot garage. The property has a 7,050 square foot site and is located in Downers Grove, Downers Grove Township, DuPage County.

The appellants contend assessment inequity as the basis of the appeal. In support of this argument, the appellants 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 from 2003 to 2013. The comparables had features of similarity when compared to the subject. The dwellings range in size from 2,875 to 4,189 square feet of living area and have improvement assessments

ranging from \$162,870 to \$242,000 or from \$56.65 to \$60.31 per square foot of living area. Based on this evidence, the appellants requested a reduction in the subject's total assessment to \$241,492.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's total assessment of \$267,430. The subject property has an improvement assessment of \$217,500 or \$66.13 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 of frame exterior construction. The dwellings were constructed from 2001 to 2004. The comparables had features of similarity when compared to the subject. The dwellings range in size from 3,014 to 3,424 square feet of living area and have improvement assessments ranging from \$201,660 to \$228,310 or from \$66.68 to \$67.97 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 taxpayers contend 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 appellants 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 the appellants' comparables #1 and #2 differed significantly from the subject in living area and received reduced weight in the Board's analysis. The Board finds the best evidence of assessment equity to be the appellants' comparable #3 and the comparables submitted by the board of review. The Board finds these comparables were more similar to the subject in living area and were also similar in location, design, exterior construction age and features. These comparables had improvement assessments that ranged from \$60.31 to \$67.97 per square foot of living area. The subject's improvement assessment of \$66.13 per square foot of living area falls within the range established by the best comparables in this record. Based on this record, the Board finds the appellants 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



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: 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.