



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

APPELLANT: Al Lotfi  
DOCKET NO.: 15-05431.001-R-2  
PARCEL NO.: 06-28-403-003

The parties of record before the Property Tax Appeal Board are Al Lotfi, the appellant, by attorney Brian S. Maher, of Weis, DuBrock, Doody & Maher 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 **A Reduction** 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:** \$95,370  
**IMPR.:** \$505,070  
**TOTAL:** \$600,440

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 2-story dwelling of masonry construction with 8,017 square feet of living area. The dwelling was constructed in 1974, with additions/renovations in 2004 and 2006. Features of the home include a 4,475 square foot basement with finished area, central air conditioning, 6 fireplaces, a pool and pool house and a 4-car garage. The property has a 30,250 square foot site and is located in Oak Brook, York 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. The comparables had varying degrees of similarity when compared to the subject. The dwellings range in size from 6,384 to 8,866 square feet of living area and have improvement assessments ranging from \$303,930 to \$358,790 or from \$40.47 to \$48.07 per square foot of living area. The appellant requested the total assessment be reduced to \$459,101.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$634,000. The subject property has an improvement assessment of \$538,630 or \$67.19 per square foot of living area. In support of the subject's assessment the board of review submitted information on three equity comparables. The comparables had varying degrees of similarity when compared to the subject. The dwellings range in size from 6,966 to 7,164 square feet of living area and have improvement assessments ranging from \$369,590 to \$437,510 or from \$53.06 to \$61.55 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted six equity comparables for the Board's consideration. The board of review argued that the subject property had been recently renovated, and that recent renovations to appellant's comparable #2 had been improperly assessed. The board of review also presented evidence that a mortgage on the property supported the market value reflected by the subject's assessed valuation. The Board gave no weight to the valuation evidence since this is an equity appeal. The Board gave less weight to the appellant's comparables #1 and #3 based on their dissimilar dwelling size when compared to the subject. The Board finds the best evidence of assessment equity to be appellant's comparable #2 and the board of review's three comparables. These comparables were similar to the subject in location, style, construction, age and dwelling size. These comparables had improvement assessments that ranged from \$40.47 to \$61.55 per square foot of living area. The subject's improvement assessment of \$67.19 per square foot of living area falls above the range established by the best comparables in this record. Based on this record the Board finds the appellant did demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is 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.