



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

APPELLANT: James Halas
DOCKET NO.: 15-05434.001-R-1
PARCEL NO.: 01-28-106-017

The parties of record before the Property Tax Appeal Board are James Halas, 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 **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: \$21,690
IMPR.: \$35,230
TOTAL: \$56,920

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 is improved with a one-story dwelling of brick exterior construction with 1,108 square feet of living area. The dwelling was constructed in 1962. Features of the home include a full unfinished basement, central air conditioning and a two-car attached garage with 440 square feet of building area. The property has a 21,662 square foot site and is located in West Chicago, Wayne Township, DuPage County.

The appellant contends assessment inequity with respect to the improvement as the basis of the appeal. In support of this argument the appellant submitted information on three equity comparables improved with one-story dwellings of brick or frame construction that were described as ranging in size from 1,008 to 1,751 square feet of living area. The dwellings were constructed from 1956 to 1960. Each comparable has a basement and a two-car garage. These properties have improvement assessments ranging from \$26,320 to \$49,780 or from \$26.11 to

\$28.42 per square foot of living area. The appellant requested the subject's improvement assessment be reduced to \$29,904.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$56,920. The subject property has an improvement assessment of \$35,230 or \$31.80 per square foot of living area. In support of its contention of the correct assessment the board of review submitted information on five equity comparables identified by the township assessor. The comparables were improved with one-story dwellings of frame, aluminum or brick exterior construction that ranged in size from 1,054 to 1,196 square feet of living area. The dwellings were built from 1956 to 1971. Each comparable has a basement with three being partially finished, central air conditioning and a garage ranging in size from 308 to 725 square feet of building area. One comparable has a fireplace. These properties had improvement assessments ranging from \$34,530 to \$39,090 or from \$31.81 to \$35.22 per square foot of living area.

The assessor also prepared a grid analysis of the appellant's comparables and reported that appellant's comparable #2 had 1,152 square feet of living area and appellant's comparable #3 had 1,565 square feet of living area rather than 1,008 square feet of living area as reported by the appellant.

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 Board finds the best evidence of assessment equity to be board of review comparables #2, #3 and #5 as these properties were most similar to the subject in size, age and exterior brick construction. These comparables had improvement assessments that ranged from \$34,530 to \$39,090 or from \$31.81 to \$35.22 per square foot of living area. The subject's improvement assessment of \$35,230 or \$31.80 per square foot of living area falls within the range established by the best comparables in this record. Less weight was given the remaining comparables submitted by the parties based on size, exterior construction and/or age. Based on this record the Board finds the appellant 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



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.