



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

APPELLANT: David Burnier
DOCKET NO.: 15-05451.001-R-1
PARCEL NO.: 06-14-409-061

The parties of record before the Property Tax Appeal Board are David Burnier, the appellant; 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: \$52,150
IMPR.: \$37,020
TOTAL: \$89,170

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 construction with 1,124 square feet of living area.¹ The dwelling was constructed in 1955. Features of the home include a full unfinished basement, central air conditioning and a one-car garage. The property has a 47,916 square foot site and is located in Elmhurst, York Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted a mortgage finance appraisal estimating the subject property had a market value of \$238,000 as of June 19, 2015. The appraiser utilized sales and two active listings. The sales occurred from August 2014 to June 2015 and sold for prices ranging from \$221,000 to \$277,500 or from \$121.23 to \$188.52 per square foot of living area, including land. The two

¹ The board of review depicts the subject's size of 1,124 square feet of living area, while the appraiser depicts the subject's size of 1,343 square feet of living area. Neither party submitted a schematic diagram to support their claim. The Board finds this slight discrepancy will not affect the decision herein.

listings each had a list price of \$249,000 or \$176.35 and \$139.50, respectively, per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$89,170. The subject's assessment reflects a market value of \$267,778 or \$238.24 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 three comparable sales with varying degrees of similarity to the subject. The comparables sold from March 2013 to June 2014 for prices ranging from \$242,105 to \$500,000 or from \$85.54 to \$239.47 per square foot of living area, including land.

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 Board gives little weight to the final opinion of value found in the appraisal. On page #3 of the appraisal report it states "[t]his summary report is intended for the use by the mortgage company/bank for a mortgage finance transaction only. This report is not intended for any other use." In addition, the Board finds the land adjustments were too low based on the cost approach adjustments of \$100.00 per square foot of land area. Further, adjustments for age and/or design were not made for comparables #1, #3 and #6. Therefore, the Board will only consider the raw sales data contained within the report.

The Board finds the best evidence of market value to be appraisal comparable sales #2 and #4 and board of review comparable sale #1. These comparable sales sold for prices ranging from \$225,000 to \$277,500 or from \$121.23 to \$239.47 per square foot of living area, including land. The subject's assessment reflects a market value of \$267,778 or \$238.24 per square foot of living area, including land, which is within the range established by the best comparable sales in the record. The Board gave less weight in its analysis to the remaining sales and listings based on their dissimilar design, location and/or age. Based on this evidence the Board finds 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. 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



Acting Member

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: November 21, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

David Burnier
325 South Hagans Avenue
Elmhurst, IL 60126

COUNTY

DuPage County Board of Review
DuPage Center
421 N. County Farm Road
Wheaton, IL 60187