



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

APPELLANT: Patrick Rogers
DOCKET NO.: 15-05486.001-R-1
PARCEL NO.: 08-20-214-001

The parties of record before the Property Tax Appeal Board are Patrick Rogers, the appellant, 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: \$50,710
IMPR.: \$110,530
TOTAL: \$161,240

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 part two-story and part one-story dwelling of frame and brick construction with 3,320 square feet of living area. The dwelling was constructed in 1985. Features of the home include an unfinished basement, central air conditioning, two fireplaces and an attached two-car garage with 472 square feet of building area. The property has a 13,674 square foot site and is located in Naperville, Lisle 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 part two-story and part one-story dwellings that ranged in size from 3,254 to 3,807 square feet of living area. The dwellings were built in 1985 and 1988. Each home had an unfinished basement, central air conditioning, one fireplace and an attached garage ranging in size from 560 to 738 square feet of building area. These properties had improvement

assessments ranging from \$94,630 to \$114,490 or from \$29.08 to \$30.22 per square foot of living area. The appellant requested the subject's improvement assessment be reduced to \$98,028 or \$29.53 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$161,240. The subject property has an improvement assessment of \$110,530 or \$33.29 per square foot of living area. In support of its contention of the correct assessment the board of review submitted a grid analysis of four comparables selected by the township assessor and a grid analysis of the appellant's comparables prepared by the township assessor's office.

The four comparables submitted to support the assessment were improved with part two-story and part one-story dwellings that ranged in size from 3,154 to 3,483 square feet of living area. The dwellings were constructed in 1985 and 1986. Each comparable had an unfinished basement, central air conditioning, one fireplace and an attached garage ranging in size from 460 to 724 square feet of building area. These properties had improvement assessments ranging from \$107,880 to \$123,060 or from \$34.13 to \$34.54 per square foot of living area.

The evidence provided by the board of review also included a map depicting the location of the comparables submitted by the parties in relation to the subject property. The board of review requested the assessment be confirmed.

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 appellant's comparable #3 and the comparables submitted by the board of review. These comparables were most similar to the subject in size as well as being similar to the subject in location, style, age and features. These comparables had improvement assessments that ranged from \$29.08 to \$35.33 per square foot of living area. The subject's improvement assessment of \$33.29 per square foot of living area falls within the range established by the best comparables in this record. Less weight was given appellant's comparables #1 and #2 due to differences from the subject's dwelling in size. 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.