



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

APPELLANT: Barbara K. Vercoe Trust  
DOCKET NO.: 15-05577.001-R-1  
PARCEL NO.: 05-17-225-002

The parties of record before the Property Tax Appeal Board are Barbara K. Vercoe Trust, the appellant, by Terrence J. Benshoof, Attorney at Law in Glen Ellyn; 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:** \$62,400  
**IMPR.:** \$165,705  
**TOTAL:** \$228,105

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 two-story dwelling of cedar/aluminum vinyl siding exterior construction with 5,356 square feet of living area. The dwelling was constructed in 1913. Features of the home include a partial lookout basement with finished area, central air conditioning, three fireplaces, a greenhouse and a two-car garage. The property has a 27,482 square foot site and is located in Wheaton, Milton Township, DuPage County.

The appellant appeared before the Property Tax Appeal Board contending overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal (Appellant's Exhibit No. 1) estimating the subject property had a market value of \$685,000 as of January 1, 2015.<sup>1</sup>

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<sup>1</sup> The appraisal, appellant's Exhibit No. 1, incorrectly depicts a valuation date of March 27, 2017. The correct valuation date is January 1, 2015.

Appraiser Mark Nast, an Illinois Certified Appraiser, was called as a witness. Nash lives in Wheaton and is familiar with the area and the subject. Nash inspected the subject's interior and exterior and described the subject's condition as extremely dated. Nash developed the sales comparison approach to value utilizing five sales. The comparables were located in Wheaton, Illinois and sold from May 2014 to December 2014 for prices ranging from \$504,000 to \$687,000 or from \$153.63 to \$221.95 per square foot of living area, including land. The comparables consisted of two-story dwellings of masonry, cedar or aluminum vinyl siding exterior construction which were built from 1887 to 1949. Each comparable has a basement with two having finished area. Each comparable has central air conditioning and a two-car garage. The comparables were situated on sites ranging from 12,434 to 24,572 square feet of land area.

Nash testified he selected comparables similar to the subject in age and condition. Nash adjusted the comparables for site size, view, quality of construction, size, basement finish, amenities and upgrades. The comparables had adjusted sale prices ranging from \$623,200 to \$689,900. Nash further testified he adjusted the comparables at \$35 per square foot of living area based on his experience in rebuilding dwellings and home construction. Nash stated comparable #1 was rebuilt following a fire which resulted in a \$100,000 adjustment for upgrades.

During cross-examination, Nash admitted his license expiration as shown in his appraisal was incorrect and that his appraisal license was good until 2019. Nash testified the subject is not in good shape, but, is in average condition. Nash further testified that comparable sale No. 1 was also listed as being in average condition, even though he made a \$100,000 because of its upgrades. Nash testified his final opinion of value was based on his examination of all of his comparables based on comparables in the subject's immediate market area within Wheaton, Illinois. Nash stated he did not feel comparable No. 5 warranted an age adjustment, even though there was a 36-year age difference between the subject and the comparable. Nash stated comparable No.5 was a good comparable based on its non-upgrades similar to the subject.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$281,730. The subject's assessment reflects a market value of \$846,036 or \$157.96 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.

The board of review called Mary Cunningham, Milton Township Deputy Assessor, as its witness. Cunningham testified appellant's comparable No. 1 was not an arm's length transaction sale because it was sold by a financial institution and was smaller than the subject. She also disputed the smaller size of comparables No. 2 and No. 4. Cunningham disputed the size of comparable No. 2 as reported in the appraisal and stated comparable No. 4 was demolished in 2015.

In support of its contention of the correct assessment the board of review submitted information on five comparable sales with three comparables being in the same neighborhood as the subject. The comparables were two-story dwellings of frame or frame and masonry construction and were built from 1873 to 1931. Each comparable had a basement with four having finished area. Four comparables had a garage ranging from 654 to 1,191 square feet of building area. Each

comparable had two or four fireplaces. The comparables sold from May 2013 to November 2015 for prices ranging from \$1,000,000 to \$1,999,000 or from \$202.10 to \$426.32 per square foot of living area, including land. The comparables were situated on sites ranging from 13,297 to 23,292 square feet of land area. Cunningham testified comparable No. 2 was a multi-parcel sale. Cunningham testified the three comparables located in Wheaton were similar to the subject in size, age and location and had higher per square foot market values than the subject.

During cross-examination, Cunningham testified she has not visited the interior of the subject. Cunningham stated the two comparables located in Glen Ellyn were selected based on size. Cunningham admitted the board of review comparables had been rehabilitated and upgraded based on the Multiple Listing sheets, which was reflected in their individual sale prices. To her knowledge the subject has not been upgraded or rehabilitated.

### **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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the appraisal submitted by the appellant. The subject's assessment reflects a market value of \$846,036 or \$157.96 per square foot of living area, including land, which is above the appraised value. Less weight was given the board of review's comparables because they reflected unadjusted sales prices and were superior to the subject based on recent upgrades, were dated sales, dissimilar in location and/or were multi-parcel sales.

The Board finds the appellant's appraiser made logical adjustments to his comparables and was familiar with the subject's immediate market area based on his experience in home construction and remodeling. The Board finds the subject property had a market value of \$685,000 as of the assessment date at issue. Since market value has been established the 2015 three-year average median level of assessments for DuPage County of 33.30% as determined by the Illinois Department of Revenue shall apply. (86 Ill.Admin.Code §1910.50(c)(1)).

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(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) 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.

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Chairman



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Member

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Member



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Member

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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 21, 2019



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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

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