



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

APPELLANT: Thomas J. Gramatis  
DOCKET NO.: 15-05627.001-R-1  
PARCEL NO.: 09-13-207-039

The parties of record before the Property Tax Appeal Board are Thomas J. Gramatis, the appellant, by attorney Brian P. Liston, of the Law Offices of Liston & Tsantilis, P.C., 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:** \$89,440  
**IMPR.:** \$191,360  
**TOTAL:** \$280,800

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 part two-story and part one-story dwelling of frame construction with 4,019 square feet of living area. The dwelling was constructed in 2001. Features of the home include a full basement which is partially finished, central air conditioning, two fireplaces and a 720 square foot garage. The property has a 17,806 square foot site and is located in Hinsdale, Downers Grove Township, DuPage County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased in January, 2012 for a price of \$796,500. The appellant partially completed Section IV – Recent Sale Data of the appeal petition reporting the property was purchased from Peter and Rosalina Demolder, the parties to the transaction were not related, the property was sold by a Realtor and the property was advertised for sale. The appellant failed to report the manner that the property was advertised or

the number of days/months that the property was on the market. Attached to the appeal petition were copies of the PTAX-203 transfer declaration averring that the property was advertised prior to sale; a copy of the Warranty Deed; a copy of the Settlement Statement (page 1 only) which reiterated the sale price and date; and a copy of the sales contract.

Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price at the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$280,800. The subject's assessment reflects a market value of \$843,243 or \$209.81 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 provided by the Downers Grove Township Assessor which included three comparable sales and rebuttal statements regarding the sale of the subject.

In rebuttal the township assessor asserted that since the purchase in January 2012, the market is showing an upward trend in values. At the time the subject was purchased, the market was not as stable. Moreover, the subject property is currently listed in July 2016 for \$859,000 (a copy of the listing was submitted). The listing reported the home has been "beautifully renovated." The assessor argued that this listing should be considered when valuing the property as of January 1, 2015 even through the listing occurred 1.5 years later.

In support of the assessment the assessor identified three comparable sales, one of which is located in the same neighborhood code assigned by the assessor as the subject. These comparables are improved with part two-story and part one-story frame or frame and masonry dwellings with the same quality grade as the subject. The comparables range in size from 4,008 to 4,615 square feet of living area. The dwellings were built between 1994 and 1998. Two of the comparables have partially finished basements and each has central air conditioning, two or three fireplaces and a garage ranging in size from 659 to 758 square feet of building area. The sales occurred between April 2014 and June 2015 for prices ranging from \$975,000 to \$1,199,000 or from \$240 to \$299 per square foot of living area, including land, rounded.

Based on this evidence and argument, the board of review requested confirmation of the subject's assessment.

### **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 finds the best evidence of market value in the record to be the three comparable sales submitted by the board of review. These comparables have varying degrees of similarity to the subject in location, style, construction, features and/or age. These properties also sold proximate in time to the assessment date at issue. The comparables sold between April 2014 and June 2015 for prices ranging from \$975,000 to \$1,199,000 or from \$240 to \$299 per square foot of living area, including land, rounded. The subject's assessment reflects a market value of \$843,243 or \$210 per square foot of living area, including land, rounded, which is below the range established by the best comparable sales in this record that occurred most proximate in time to the assessment date at issue.

The Board gave little weight to the subject's sale from January 2012 due to the fact the sale did not occur proximate in time to the assessment date at issue of January 1, 2015. The appellant also failed to fully develop that the subject property had been advertised on the open market and/or that the property had been on the market for a reasonable period of time. Lastly, the appellant's listing of the subject property in July 2016 for \$859,000 suggests that the subject property was not overvalued based on its assessment as of January 1, 2015.

Based on this record the Board finds the subject is not overvalued 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. 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



Member



Acting 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: September 22, 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

Thomas J. Gramatis, by attorney:  
Brian P. Liston  
Law Offices of Liston & Tsantilis, P.C.  
33 North LaSalle Street  
28th Floor  
Chicago, IL 60602

COUNTY

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