



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

APPELLANT: Bill Ransone
DOCKET NO.: 15-05706.001-R-1
PARCEL NO.: 05-16-120-015

The parties of record before the Property Tax Appeal Board are Bill Ransone, the appellant, by attorney Joanne Elliott, of Elliott & Associates, P.C. in Des Plaines, 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: \$20,220
IMPR.: \$126,140
TOTAL: \$146,360

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 frame exterior construction with approximately 2,574 square feet of living area.¹ The dwelling was constructed in 1880. Features of the home include an unfinished partial basement, central air conditioning, a fireplace and a detached two-car garage of 440 square feet of building area. The property also features a deck, a porch and a 3-season room. The subject has a 6,696 square foot site and is located in Wheaton, Milton Township, DuPage County.

¹ The appellant's appraiser reported a dwelling size of 2,574 square feet of living area supported by a schematic drawing as part of the appraisal report. The assessing officials reported a dwelling size of 2,422 square feet of living area with no documentary support for the calculation. The Board finds that the appellant presented the best evidence of the subject's dwelling size and, furthermore, the Board finds this slight size discrepancy does not prohibit a determination of the correct assessment of the property on this record.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted a limited appraisal analysis estimating the subject property had a market value of \$330,000 as of January 1, 2015. The report was prepared by Daniel Hovious, a certified residential appraiser, who utilized the sales comparison approach to value in estimating the market value of the fee simple rights in the subject property.

The appraiser described the subject dwelling as suffering from deferred maintenance "as the interior has many areas of dated décor." The updates, according to the owner, include the kitchen and the second floor bathroom. Given the dated nature of the home, the appraiser opined the property would sell towards the lower end of the price range of comparable older homes in the defined market area. Although the subject is located across the street from an elementary school, the appraiser found this was not an adverse location/view.

The appraiser analyzed three comparable sales of "vintage homes" located within .33 of a mile of the subject property. The comparable parcels range in size from 3,722 to 19,948 square feet of land area and have been improved with two-story dwellings that were each 128 years old in "average+" condition as compared to the subject's "average-below average" condition according to the appraiser. The comparable homes are each smaller than the subject and range in size from 1,711 to 2,170 square feet of living area. Each comparable has a full basement, two of which have finished areas. Two of the comparables feature central air conditioning and each has either a one-car or a two-car garage. Additional amenities include porches and/or decks for each of the homes; none of the comparables have a 3-season room like the subject. The comparables sold between January 2014 and June 2014 for prices ranging from \$320,000 to \$429,000 or from \$147.47 to \$226.27 per square foot of living area, including land.

The appraiser made adjustments to the comparables for differences in land area at \$2.00 per square foot, room count, dwelling size at \$50.00 per square foot of living area, cooling and/or garage size. The appraiser reported each of the comparables were in superior condition when compared to the subject having updated kitchens, bathrooms, flooring, etc. The appraiser also reported that the subject appears to be one of the larger, vintage two story homes in the area. In the addendum, the appraiser reported that modernization adjustments were made to each of the comparables; the adjustments were downward \$20,000 with comparable #3 being increased to a downward \$50,000 adjustment due to a "superior level of updating." After the adjustment process, the appraiser opined adjusted sales prices ranging from \$303,700 to \$435,400. Based upon this analysis, the appraiser opined a value for the subject of \$330,000 or \$128.21 per square foot of living area, including land.

Based on this evidence, the appellant requested an assessment reflective of the appraised value 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 \$146,360. The subject's assessment reflects a market value of \$439,520 or \$170.75 per square foot of living area, land included, based upon a dwelling size of 2,574 square feet and 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.

As to the appellant's evidence, the board of review contended that the appellant's appraisal was a limited appraisal whose intended purpose is "for use in a proposed underwriting" and is "not an opinion of the Ad Valorem Assessment value." In addition, the board of review noted the appraisal had an effective date of May 19, 2012, a date more than four months after the assessment date at issue of January 1, 2012.

In addition, the board of review submitted a memorandum prepared by the Milton Township Assessor's Office which contended that appraisal sale #1 "added a \$52,000 addition after they purchased the home." A copy of the building permit dated March 10, 2014 was also submitted; the property had been purchased in January 2014. The assessor further contended that appraisal sale #2 supports the subject's current estimated market value based on its assessment and appraisal sale #3 is located in a different neighborhood and is too small to be comparable to the subject.

In support of its contention of the correct assessment the board of review submitted information on six comparable sales located in the same neighborhood code assigned by the assessor as the subject property where board of review comparable #1 is the same property as appraisal sale #2. The comparable parcels range in size from 4,390 to 17,253 square feet of land area and have been improved with two-story frame dwellings that were built between 1887 and 1904. The comparable homes range in size from 2,146 to 2,600 square feet of living area. Each comparable has a full or partial basement, four of which have finished areas. Each of the comparables feature central air conditioning and a two-car garage ranging in size from 480 to 624 square feet of building area. The comparables sold between February 2012 and July 2014 for prices ranging from \$429,000 to \$729,500 or from \$199.91 to \$295.94 per square foot of living area, including land.

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

In written rebuttal, counsel for the appellant contended that the board of review has submitted raw, unadjusted comparable sales data without supporting documentation. In summary, the submission lacks adjustments for differences from the subject property and/or any relevant factors of comparison.

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 appellant submitted an appraisal of the subject property and the board of review submitted six suggested comparable sales for the Board's consideration. The Property Tax Appeal Board has given reduced weight to the value conclusion of the appellant's appraisal report as the appraiser made substantial downward adjustments to each comparable for the subjective

characteristic of modernization. As part of the addendum, the appellant's appraiser wrote, "These modernization adjustments are very subjective, however, appear reasonable given a review of the interior photos of these closed sales and the potential value-related impact the improvements of these properties possess." No interior photographs of the comparables were submitted to substantiate this assertion and the appraisal report failed to include photographs of the interior of the subject property to substantiate the purported deferred maintenance issues. As such, the Board finds the appraisal report to be lacking in this regard and results in a value conclusion which the Board does not find to be credible. As an alternative to relying upon the value conclusion of the appellant's appraisal, the Board will consider the individual sales in the appraisal. In this regard, the Board finds the appraisal sale #3 should be given little weight as the dwelling is substantially smaller than the subject dwelling.

The Board has given little weight to board of review sales #3, #5 and #6; sales #3 and #5 occurred remote in time to the valuation date at issue and #6 appears to be an outlier in its sales price and also has substantially more land area than the subject property.

On this record, the Board finds the best evidence of market value to be appellant's appraisal sales #1 and #2 along with board of review comparable sales #1, #2 and #4, where there is one common sale to both parties. These four comparable comparables sold between January 2014 and June 2014 for prices ranging from \$320,000 to \$580,000 or from \$131.36 to \$228.62 per square foot of living area, including land. The comparables have varying degrees of similarity to the subject property in location, age, size and/or features. The subject's assessment reflects a market value of \$439,520 or \$170.75 per square foot of living area, including land, which is within the range established by the best comparable sales in the record. After considering adjustments to the comparables for differences from the subject in land area and dwelling size, 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



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

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