



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

APPELLANT: Emilia Czader
DOCKET NO.: 15-05850.001-R-1 through 15-05850.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Emilia Czader, the appellant, by attorney Scott Shudnow, of Shudnow & Shudnow, Ltd. 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 **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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
15-05850.001-R-1	03-22-401-003	20,040	19,920	\$39,960
15-05850.002-R-1	03-22-401-004	20,040	0	\$20,040

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 two parcels, one of which is vacant land and one of which features a 2-story frame dwelling on a crawl-space foundation containing approximately 2,664 square feet of living area. The dwelling was constructed in 1932 and features central air conditioning. The site is approximately 16,640 square feet in size and is located in Addison, Addison Township, DuPage County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant completed Section IV - Recent Sale Data of the appeal and submitted a Settlement Statement disclosing the subject property was a foreclosure purchased on February 14, 2014 for a price of \$180,000 or \$67.57 per square foot of living area, including land. The subject was purchased from a bank, through a realtor, was advertised through the Multiple Listing Service, was on the

market for 85 days and the sale was not between family or related corporations. The appellant also submitted an MLS Listing Sheet documenting the subject's sale.

The appellant also submitted an appraisal prepared by Roy C. Tremain estimating the subject property had a market value of \$180,000 as of January 16, 2014. The appraiser used six comparables located from 1.30 to 2.15 miles from the subject. The comparables had features with varying degrees of similarity to the subject. Four of the comparables sold from August through December 2013 for prices ranging from \$169,000 to \$225,000 or from \$77.02 to \$107.68 per square foot of living area including land. Two were active listings with asking prices of \$178,500 and \$220,000 or \$90.15 and \$96.92 per square foot of living area including land. The appraiser made adjustments to the comparables to account for differences with the subject. After adjustments, the comparables' market values ranged from \$169,500 to \$210,000. Based on this evidence, the appellant requested the total assessment for both parcels be reduced to \$60,000 or a market value of approximately \$180,000 or \$67.57 per square foot of living area including land at the statutory level of assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for both parcels of the subject of \$68,880. The subject's assessment reflects a market value of \$206,847 or \$77.65 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.

With respect to the appellant's evidence, the board of review noted on their grid analysis that the appraisal contained sales from 2013 and the comparables were not in the subject's neighborhood.

In support of its contention of the correct assessment the board of review submitted information on six comparable sales. They are described as 1.5 or 2-story frame or brick and frame dwellings. They were built between 1945 and 1965 and range in size from 1,056 to 3,371 square feet of living area including land. Each comparable has a garage. Three have basements, two with finished area, and one has a finished lower level. Five of the comparables have central air conditioning and four have one or two fireplaces. The comparables sold between March 2014 and January 2016 for prices ranging from \$150,000 to \$364,000 or from \$103.47 to \$142.05 per square foot of living area land included.

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

In written rebuttal, counsel for the appellant argues the board of review comparables are highly renovated whereas the subject has only minor upgrades.

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 appellant provided evidence that the subject property sold on February 14, 2014 for a price of \$180,000 or \$67.57 per square foot of living area, including land. The subject was purchased from a bank in an arm's length transaction, was advertised and was on the market 85 days. The appellant also submitted an appraisal estimating the property had a market value of \$180,000 as of January 16, 2014. The Board finds issues with the appraisal including comparables that sold in 2013 and which were located over a mile from the subject. Nevertheless, the appraisal does support the sale price of the subject.

The board of review submitted six comparables for the Board's consideration, none of which were particularly similar to the subject.

The subject's assessment reflects a market value of \$206,847 or \$77.65 per square foot of living area, land included. The Board finds the purchase price of the subject in February 2014 for \$180,000 or \$67.57 per square foot of living area including land is greater than the subject's assessed market value. Based on this evidence, the Board finds a reduction in the subject's assessment commensurate with the appellant's request is warranted.

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.



Chairman



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: April 17, 2018



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

Emilia Czader, by attorney:
Scott Shudnow
Shudnow & Shudnow, Ltd.
77 West Washington Street
Suite 1620
Chicago, IL 60602

COUNTY

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