



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

APPELLANT: Thomas & Robin Sparacino
DOCKET NO.: 15-05898.001-R-1
PARCEL NO.: 06-04-409-017

The parties of record before the Property Tax Appeal Board are Thomas & Robin Sparacino, the appellants; 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: \$7,820
IMPR.: \$56,791
TOTAL: \$64,611

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 one and one-half-story dwelling of frame, brick and stone construction with 1,220 square feet of living area. The dwelling was constructed in 1949. Features of the home include a basement, central air conditioning and a two-car garage. The property has an 8,000 square foot site and is located in Villa Park, York Township, DuPage County.

The appellants contend overvaluation and assessment inequity as the bases of the appeal.¹ In support of the inequity argument the appellants submitted information on six equity comparables with varying degrees of similarity to the subject. The comparables had improvement assessments ranging from \$43,440 to \$62,920 or from \$34.49 to \$38.50 per square foot of living area.

¹ The appellants indicated an appraisal would be submitted with the appeal, however, the Board finds no appraisal was submitted to support the overvaluation argument.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$65,540. The subject property has an improvement assessment of \$57,720 or \$47.31 per square foot of living area. In support of its contention of the correct assessment the board of review submitted information on ten equity comparables with varying degrees of similarity to the subject. The comparables had improvement assessments ranging from \$46,040 to \$68,140 or from \$44.14 to \$52.20 per square foot of living area.

The appellants filed rebuttal argument pointing out the differences between the board of review's comparables and the subject.

Conclusion of Law

The taxpayers contend assessment inequity as one 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 appellants 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 appellants' comparables #1, #2, #4 and #6 and the board of review comparables #2, #5 and #8. These comparables had improvement assessments that ranged from \$36.21 to \$46.60 per square foot of living area. The subject's improvement assessment of \$47.31 per square foot of living area falls above the range established by the best comparables in this record. Based on this record the Board finds the appellants demonstrated with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is justified on this basis.

The appellants also contend the market value of the subject property is not accurately reflected in its assessed valuation. The Board gave little weight to the letter from a realtor, because the estimated valuation was unsupported. 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 appellants failed to submit an appraisal as indicated on the appeal petition, did not submit comparable sales and did not submit construction costs, therefore, the Board find the appellants did not meet this burden of proof and a further reduction in the subject's assessment is not warranted on this basis.

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: December 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 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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