



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

APPELLANT: Ojash & Sonia Bhagwakar
DOCKET NO.: 15-05934.001-R-1
PARCEL NO.: 05-15-212-027

The parties of record before the Property Tax Appeal Board are Ojash & Sonia Bhagwakar, 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 **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: \$42,900
IMPR.: \$368,990
TOTAL: \$411,890

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 two-story dwelling of frame exterior construction with 4,957 square feet of living area. The dwelling was constructed in 2007. Features of the home include a partial finished basement, central air conditioning, two fireplaces and a 940 square foot garage. The property has a 19,562 square foot site and is located in Glen Ellyn, Milton Township, DuPage County.

The appellants contend assessment inequity as the basis of the appeal. In support of this argument the appellants submitted information on three equity comparables located within the same neighborhood assessment code as the subject property. The comparables were improved with two-story dwellings that range in age from 1 to 12 years old. The dwellings had features with varying degrees of similarity when compared to the subject. The dwellings range in size from 3,939 to 5,542 square feet of living area and have improvement assessments ranging from

\$276,500 to \$355,580 or from \$60.84 to \$70.20 per square foot of living area. Based on this evidence, the appellants requested the total assessment be reduced to \$391,700.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$411,890. The subject property has an improvement assessment of \$368,990 or \$74.44 per square foot of living area. In support of its contention of the correct assessment the board of review submitted information on six equity comparables. Three of the comparables are located in the same neighborhood assessment code as the subject property. The comparables had features with varying degrees of similarity when compared to the subject. The comparables were improved with two-story dwellings that were built from 2004 to 2014. The dwellings range in size from 4,487 to 5,342 square feet of living area and have improvement assessments ranging from \$357,470 to \$503,180 or from \$79.02 to \$112.14 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The taxpayers contend assessment inequity as the 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 parties submitted information on a total of nine suggested equity comparables for the Board's consideration. The Board gave less weight to the appellants' comparable #3 due to its smaller dwelling size when compared to the subject property. The Board also gave less weight to the board of review's comparables #3 through #5 due to their dissimilar neighborhood location code when compared to the subject property. The Board finds the appellants' comparables #1 and #2 and the board of review comparables #1, #2 and #6 are more similar when compared to the subject in location, age, dwelling size, design and features. These comparables had improvement assessments that ranged from \$60.84 to \$112.14 per square foot of living area. The subject's improvement assessment of \$74.82 per square foot of living area falls within the range established by the best comparables in this record. Based on this record the Board finds the appellants did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed 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

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