



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

APPELLANT: AMH 2014-2 Borrower, LLC
DOCKET NO.: 15-06060.001-R-1
PARCEL NO.: 07-34-314-043

The parties of record before the Property Tax Appeal Board are AMH 2014-2 Borrower, LLC, the appellant, by attorney Michael R. Davies, of the Law Offices of Michael R. Davies, Ltd. in Oak Lawn; 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: \$12,740
IMPR.: \$30,960
TOTAL: \$43,700

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 single-level condominium unit of frame and brick exterior construction with 1,142 square feet of living area. The dwelling was constructed in 1996. Features of the dwelling include a one-car garage. The property is located in Naperville, Naperville Township, DuPage County.

The appellant contends assessment inequity as the basis of the appeal. In support of this argument the appellant submitted information on five equity comparables. The comparables were improved with dwellings that were each built in 1996. The grid analysis did not disclose design, exterior construction, location, central air conditioning, fireplaces, basement and/or basement finished areas. The dwellings range in size from 1,142 to 1,367 square feet of living area. The dwellings have improvement assessments ranging from \$29,970 to \$36,270 or from

\$26.21 to \$26.53 per square foot of living area. Based on this evidence, the appellant requested the total assessment be reduced to \$42,832.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$43,700. The subject property has an improvement assessment of \$30,960 or \$27.11 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 located within the same neighborhood assessment code as the subject property. The comparables were improved with single-level condominium units that were built from 1996 to 1998. The dwellings had features with varying degrees of similarity when compared to the subject. The dwellings each contain 1,142 square feet of living area. The dwellings have improvement assessments ranging from \$30,790 to \$32,230 or from \$26.96 to \$28.22 per square foot of living area. The board of review submission also included five equity comparables purportedly reiterating the appellant's data, however, comparables #2 through #5 were not the same equity comparables submitted by the appellant. 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 appellant 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 11 suggested equity comparables for the Board's consideration. The Board gave less weight to the appellant's comparables #1, #3, #4 and #5 due to their larger dwelling sizes when compared to the subject property. The Board finds the appellant's comparable #2 and the board of review comparables were similar if not identical to the subject in location, age, dwelling size, design and other features. These comparables had improvement assessments that ranged from \$26.24 to \$28.22 per square foot of living area. The subject's improvement assessment of \$27.11 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 appellant 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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APPELLANT

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