



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

APPELLANT: Jon Park
DOCKET NO.: 15-06113.001-R-1
PARCEL NO.: 06-02-308-019

The parties of record before the Property Tax Appeal Board are Jon Park, the appellant, by attorney Robert Rosenfeld of Robert H. Rosenfeld and Associates, LLC 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 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: \$90,150
IMPR.: \$272,580
TOTAL: \$362,730

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 is improved with a two-story dwelling of brick construction with 4,752 square feet of living area. The dwelling was constructed in 2000 and is approximately 15 years old. Features of the home include a full basement, central air conditioning, two fireplaces, a three-car attached garage and an in-ground swimming pool. The property has a 13,388-square foot site and is located in Elmhurst, York Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$1,000,000 as of January 1, 2015. The appraisal was prepared by James A. Matthews. In estimating the market value of the subject property, the appraiser developed the cost approach to value and the sales comparison approach to value.

Using the cost approach to value the appraiser arrived at an estimated value of \$1,020,632.

In developing the sales comparison approach to value, the appraiser used three comparable sales improved with two-story dwellings that ranged in size from 4,000 to 4,625 square feet of living area. The dwellings ranged in age from 2 to 15 years old. Each comparable has a full finished basement, central air conditioning, two or three fireplaces and a two-car or a three-car garage. These properties have sites ranging in size 7,656 to 11,250 square feet of land area and are located from .20 of a mile to 1.04 miles from the subject property. The sales occurred from June 2013 to January 2015 for prices of \$915,000 and \$950,000 or from \$205.41 to \$234.22 per square foot of living area, including land. The appraiser adjusted the comparable sales for differences from the subject property, however, no adjustment was made for the fact that the subject property has an in-ground swimming pool as the appraiser concluded the pool has no value. The appraiser arrived at adjusted prices ranging from \$924,040 to \$1,012,460. Based on these sales the appraiser arrived at an estimated value under the sales comparison approach of \$1,000,000.

In reconciling the two approaches to value the appraiser gave the greatest weight to the sales comparison approach and arrived at an estimated market value of \$1,000,000 as of January 1, 2015.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$362,730. The subject's assessment reflects a market value of \$1,089,279 or \$229.23 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.

In support of its contention of the correct assessment the board of review submitted information on seven comparable sales identified by Judy Woldman, York Township Deputy Assessor. The comparables were improved with two-story dwellings that ranged in size from 3,627 to 4,681 square feet of living area. The dwellings were constructed from 1993 to 2006. Each comparable has a basement and a two-car or a three-car garage. Each comparable has the same assessment neighborhood code as the subject property and have sites ranging in size from 7,053 to 17,950 square feet of land area. The sales occurred from May 2012 to May 2015 for prices ranging from \$850,000 to \$1,412,500 or from \$228.37 to \$301.75 per square foot of living area, including land. Board of review sale #1 was the same property as appellant's appraisal sale #3.

The deputy assessor also included the appellant's appraisal comparable sales on the grid analysis disclosing only one of the comparables has the same assessment neighborhood code as the subject property. The deputy assessor also submitted a map depicting the location of the comparable sales in relation to the subject property.

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 Board finds the best evidence of market value to be appraisal comparable sale #3 and the comparable sales provided by the board of review. These sales were most similar to the subject property in location as well as being relatively similar to the subject dwelling in style, construction, age, size and features with the exception the subject property has an in-ground swimming pool whereas it was not clear whether or not any of the comparables have an in-ground swimming pool. All but one comparable has a smaller site than the subject property. The comparables sold from May 2012 to May 2015 for prices ranging from \$850,000 to \$1,412,500 or from \$228.37 to \$301.75 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,089,279 or \$229.23 per square foot of living area, including land, which is within the range established by the best comparable sales in the record. The two comparable sales that were most like the subject dwelling in size were board of review sales #4 and #7 that sold in June 2013 and August 2013 for prices of \$1,412,500 and \$1,100,000 or for \$301.75 and \$241.97 per square foot of living area, including land, respectively. These two sales are supportive of the subject's market value as reflected by its assessment. Based on this evidence 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: February 20, 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

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