



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

APPELLANT: Georganne & John Campbell
DOCKET NO.: 15-06116.001-R-2
PARCEL NO.: 09-12-223-001

The parties of record before the Property Tax Appeal Board are Georganne & John Campbell, the appellants, 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: \$158,010
IMPR.: \$248,870
TOTAL: \$406,880

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 part 2-story, part 1-story frame dwelling containing approximately 4,244 square feet of living area. The dwelling was constructed in 1907 with additions/updates in 1967 and 1995. Features of the home include a full unfinished basement, central air conditioning, one fireplace and a 400 square foot 2-car garage. The site is approximately 17,916 square feet in size¹ and is located in Hinsdale, Downers Grove Township, DuPage County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted an appraisal prepared by Nicholas J. Mulligan estimating the subject

¹ The appellants' appraiser claims the subject's site size is 17,916 square feet of land area and submitted site dimensions and aerial photographs of the subject. The board of review claims the site size is 16,820 square feet of land area and submitted site dimensions.

property had a market value of \$880,000 or \$207.35 per square foot of living area including land as of January 1, 2015. In developing the sales comparison approach to value, Mulligan analyzed five comparables that sold from April 2013 to November 2014 for prices ranging from \$860,000 to \$1,037,500 or from \$192.70 to \$269.76 per square foot of living area including land. The comparables are described as traditional/tudor or American 4-square masonry, frame or stucco dwellings that range in age from 14 to 115 years old. They range in size from 3,710 to 4,508 square feet of living area and are located within .92 of a mile from the subject. The comparables have varying degrees of similarity with the subject. The appraiser adjusted the comparables for differences with the subject, including adjusting site sizes by \$1 per square foot of land area and dwellings by \$50 per square foot of living area. After adjustments the comparables' adjusted sale prices ranged from \$802,996 to \$978,267. Based on these adjusted sales, the appraiser concluded a final value using the sales comparison approach to value of \$880,000.

The appraiser also developed the cost approach which valued the property at \$931,929. In the cost approach, the appraiser valued the site at \$500,000 or \$27.91 per square foot of land area and valued the dwelling at \$125.00 per square foot of living area before applying a depreciation factor. In reconciliation, the appraiser gave more weight to the sales comparison approach as it best represents the market actions of buyers and sellers.

Based on this evidence, the appellants requested the total assessment be reduced to \$293,333 or a market value of approximately \$880,000 or \$207.35 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 the subject property of \$406,880. The subject's assessment reflects a market value of \$1,221,862 or \$287.90 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 appellants' evidence, the board of review submitted a memo stating the appraiser made site adjustments to the comparables of \$1.00 per square foot of land area in the sales comparison approach but valued the land at \$28 per square foot of land area in the cost approach. The board of review contends the appraiser made no adjustments for dwelling age, location or sale dates.

In support of the subject's assessment, the board of review submitted information on three comparable sales described as part 1, 1.5, 2 and/or 2.5-story dwellings of frame or frame and masonry construction. The comparables were built from 1921 to 1927 with various newer additions/updates. They range in size from 3,764 to 4,739 square feet of living area and have varying degrees of similarity with the subject. The comparables sold from May to November 2014 for prices ranging from \$1,180,000 to \$2,100,000 or from \$313 to \$443 per square foot of living area including land, rounded. The board of review also submitted PTAX-203 Illinois Real Estate Transfer Declarations for three parcels in the same HF neighborhood as the subject. The assessor contends two are tear-downs/land sales and one is a vacant land sale. The parcels sold from April to November 2014 for prices ranging from \$620,000 to \$1,252,000 or from \$57.46 to \$71.63 per square foot of land area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, counsel for the appellants cited differences between the board of review comparables and the subject.

Conclusion of Law

The appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The appellants submitted an appraisal estimating the property had a market value of \$880,000 or \$207.35 per square foot of living area including land as of January 1, 2015. The Board gave little weight to the final opinion of value found in the appraisal report based on several factors. Comparables #1, #2 and #3 sold in 2013 which is less indicative of market value as of the subject's assessment date of January 1, 2015. The appraiser did not adjust for these dated sales. Comparables #2 and #4 were significantly newer than the subject yet no adjustment was made for this age difference. The appraiser stated in the comments that each sale was adjusted for lot size by \$1.00 per square foot of land area if the difference exceeded 1,000 square feet. However, the appraiser, in the cost approach, valued the subject's site at \$500,000 or \$27.91 per square foot of land area and the board of review submitted evidence of two tear-down/land sales and one vacant land sale for prices ranging from \$57.46 to \$71.63 per square foot of land area. This evidence suggests the land adjustment factor in the appraisal did not reflect market value. These issues call into question the credibility of the final opinion of value in the appraisal. The Board will however include the raw sale of appraisal comparable #5 in its analysis.

The Board gave less weight to board of review comparables #1 and #2 for their finished basements and multiple fireplaces as compared to the subject's unfinished basement and one fireplace. The Board finds the best indicator of market value in the record to be appraisal comparable #5 and board of review comparable #3. These comparables were most similar to the subject in location, dwelling size, style, age and most features. They sold in June and May 2014 for \$962,000 and \$1,180,000 or for \$259 and \$313 per square foot of living area including land, rounded. The subject's assessment reflects a market value of \$1,221,862 or \$287.90 per square foot of living area, land included, which is supported by the best comparables in the record on a per square foot basis. The subject's market value lies above these comparables on a total market value basis, which is logical given the larger dwelling size of the subject. Based on this evidence, the Board finds no reduction in the subject's assessment based on overvaluation 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

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