



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

APPELLANT: Chad Burlet  
DOCKET NO.: 15-06117.001-R-2  
PARCEL NO.: 09-12-213-006

The parties of record before the Property Tax Appeal Board are Chad Burlet, 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:** \$216,080  
**IMPR.:** \$377,350  
**TOTAL:** \$593,430

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 part 2.5-story, part 2-story, part 1-story frame and masonry dwelling containing approximately 4,977 square feet of living area. The dwelling was constructed in 1928 with additions in 1983 and 1989. Features of the home include a full basement with finished area<sup>1</sup>, central air conditioning, multiple fireplaces and a 609 square foot 2-car garage. The site is approximately 27,619 square feet in size and is located in Hinsdale, Downers Grove Township, DuPage County.

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<sup>1</sup> The board of review contends the subject has an unfinished basement and submitted a Property Record Card to support the claim. The appraiser stated in the appraisal that the subject has a basement with 50% finished area and submitted a signed certification in the appraisal report that the appraiser personally inspected the interior and exterior of the subject. The appraiser also submitted photographic evidence of what appears to be the finished basement although the photograph was not labeled. The Board finds the appraiser submitted the best evidence of basement finish.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal prepared by Nicholas J. Mulligan estimating the subject property had a market value of \$1,375,000 or \$276.27 per square foot of living area including land as of January 1, 2015. In developing the sales comparison approach to value, the appraiser analyzed four comparables that sold from June 2013 to June 2014 for prices ranging from \$1,350,000 to \$1,725,000 or from \$258.39 to \$281.69 per square foot of living area including land. The comparables are described as "traditional" masonry and/or frame dwellings that range in age from 15 to 118 years old. They range in size from 4,899 to 6,607 square feet of living area and are located within .83 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 to \$1,340,700 to \$1,571,200. Based on these adjusted sales, the appraiser concluded a final value using the sales comparison approach to value of \$1,375,000.

The appraiser also developed the cost approach which valued the property at \$1,397,626. In the cost approach, the appraiser valued the site at \$675,000 or \$24.44 per square foot of land area and valued the dwelling at \$175.00 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 appellant requested the total assessment be reduced to \$458,333 or a market value of approximately \$1,375,000 or \$276.27 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 \$593,430. The subject's assessment reflects a market value of \$1,782,072 or \$358.06 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 appellant's evidence, the board of review submitted a memo stating the appraiser made minimal site adjustments to the comparables of \$.88 or \$1.00 per square foot of land area. The board of review contends that appraisal comparable #4 was sold as a tear-down in January 2014 for \$1,625,000 or \$56.31 per square foot of land area. The dwelling was demolished in July 2015 per the Property Record Card. The board of review also cites differences and similarities between the subject and both parties' comparables.

In support of the subject's assessment, the board of review submitted information on four comparable sales described as 2, 2.5 or 3-story dwellings of frame or masonry construction. The comparables were built from 1898 to 1951, three with newer additions/updates. They range in size from 4,278 to 4,757 square feet of living area and have varying degrees of similarity with the subject. The comparables sold from January 2014 to June 2015 for prices ranging from \$1,645,000 to \$2,580,000 or from \$352 to \$566 per square foot of living area including land, rounded. The board of review also submitted Property Record Cards and PTAX-203 Illinois Real Estate Transfer Declarations for two parcels in the same HC neighborhood as the subject

which the assessor contends are tear-downs/land sales. The parcels sold in March and April 2014 for \$1,350,000 and \$1,346,000 or for \$70.25 and \$62.26 per square foot of land area, respectively. Based on this evidence, the board of review requested confirmation of the subject's assessment.

### **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 appellant submitted an appraisal estimating the property had a market value of \$1,375,000 or \$276.27 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 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 #1 and #2 were significantly newer than the subject yet no adjustment was made for this 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 \$675,000 or \$24.44 per square foot of land area and the board of review submitted evidence of three tear-down/land sales, one of which was appraisal comparable #4, for prices ranging from \$56.31 to \$70.25 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 gave less weight to board of review comparable #4 for its unfinished basement as compared to the subject's finished basement. The Board finds the best indicator of market value in the record to be board of review comparables #1, #2 and #3. These comparables were most similar to the subject in location, dwelling size, style, age, site size and most features. They sold from May 2014 to June 2015 for prices ranging from \$1,645,000 to \$2,580,000 or from \$352 to \$566 per square foot of living area including land, rounded. The subject's assessment reflects a market value of \$1,782,072 or \$358.06 per square foot of living area, land included, which is within the range established by the best comparables in the record on both a total market value basis as well as a per square foot basis. 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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