



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

APPELLANTS: Casmir & Irene Opalacz
DOCKET NO.: 15-06138.001-R-1
PARCEL NO.: 09-24-401-010

The parties of record before the Property Tax Appeal Board are Casmir & Irene Opalacz, 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: \$113,660
IMPR.: \$163,410
TOTAL: \$277,070

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 two-story and a part one-story dwelling of frame and brick exterior construction with 3,515 square feet of living area. The dwelling was constructed in 1997. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a 759 square foot garage. The property has a 19,406 square foot site and is located in Burr Ridge, Downers Grove Township, DuPage County.

The appellants contend assessment inequity as the basis of the appeal. The subject's land assessment was not contested. In support of this argument the appellants submitted information on three equity comparables located on the same street as the subject property. The comparables were improved with a part two-story and a part one-story style brick or frame dwellings that ranged in size from 3,340 to 4,209 square feet of living area. The dwellings were constructed from 1997 to 1999. Each comparable has a full basement with two comparables having a

finished area of 75% or 100%, two comparables have central air conditioning, each comparable has one or two fireplaces and each comparable has a garage ranging in size from 630 to 923 square feet of building area.¹ The comparables had improvement assessments that ranged from \$84,010 to \$132,440 or from \$23.18 to \$39.65 per square foot of living area. Based on this evidence, the appellants requested that the improvement assessment be reduced to \$108,777 or \$30.95 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$277,070. The subject property has an improvement assessment of \$163,410 or \$46.49 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on three equity comparables located on the same street as the subject property. The comparables were improved with a part two-story and a part one-story style brick dwelling that range in size from 3,308 to 3,658 square feet of living area. The dwellings were constructed in 1994 and 1999. Each comparable has a full or partial unfinished basement, central air conditioning, a fireplace and a garage ranging in size from 775 to 874 square feet of building area. The comparables had improvement assessments that ranged from \$154,140 to \$171,520 or from \$46.60 to \$47.24 per square foot of living area. Based on this evidence, the board of review requested that the assessment be confirmed.

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.

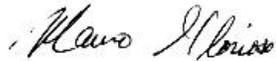
The parties submitted six suggested comparables for the Board's consideration. The Board gave less weight to the appellants' comparables #1 and #3 due to their finished basements when compared to the subject's unfinished basement.

The Board finds the best evidence of assessment equity to be the remaining four comparables. These comparables are very similar in location, dwelling size, design, age and features when compared to the subject property. These comparables had improvement assessments that ranged from \$126,310 to \$171,520 or from \$30.01 to \$47.24 per square foot of living area. The subject's improvement assessment of \$163,410 or \$46.49 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

¹ The appellants' grid analysis was void of some pertinent descriptive data, which was provided by the board of review.

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: January 16, 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

AGENCY

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