



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

APPELLANT: Cheri Chaney
DOCKET NO.: 16-05198.001-R-1
PARCEL NO.: 05-29-409-009

The parties of record before the Property Tax Appeal Board are Cheri Chaney, the appellant; 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: \$36,950
IMPR.: \$108,550
TOTAL: \$145,500

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 2016 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 two-story dwelling of frame and masonry exterior construction with 2,165 square feet of living area.¹ The dwelling was constructed in 1982. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a two-car garage. The property has an 11,649-square foot site and is located in Wheaton, Milton 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 has a market value of \$335,000 as of January 1, 2016. The appraisal was prepared by Mark G. Morgan, a certified residential real estate appraiser.

¹ The appellant's appraiser reported a dwelling size of 2,165 square feet of living area supported by a schematic drawing.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value using five comparable sales. The comparables consist of two-story dwellings that range in age from 30 to 36 years old. The dwellings are located from .12 to .33 of a mile from the subject property. The comparables have features with varying degrees of similarity when compared to the subject. The dwellings range in size from 2,220 to 2,778 square feet of living area and are situated on sites ranging in size from 10,661 to 14,693 square feet of land area. The comparables sold from March 2014 to October 2015 for prices ranging from \$375,000 to \$422,000 or from \$134.99 to \$181.38 per square foot of living area, including land. The appraiser made adjustments to each comparable for differences from the subject property to arrive at adjusted prices ranging from \$324,200 to \$379,300. The appraiser arrived at an estimated value under the sales comparison approach of \$335,000. Based on this evidence the appellant requested the total assessment be reduced to \$111,667.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$145,500. The subject's assessment reflects a market value of \$437,068 or \$201.88 per square foot of living area using 2,165 square feet of living area and applying DuPage County's 2016 three-year average median level of assessment of 33.29% as determined by the Illinois Department of Revenue. 86 Ill.Admin.Code §1910.50(c)(1).

In support of its contention of the correct assessment the board of review submitted information on five comparable sales located in the same neighborhood as the subject property. The comparables are improved with two-story dwellings that were constructed from 1980 to 1985. The comparables had varying degrees of similarity when compared to the subject. The dwellings range in size from 1,782 to 2,737 square feet of living area and are situated on sites that contain from 10,679 to 12,548 square feet of land area. The comparables sold from March 2015 to August 2016 for prices ranging from \$357,500 to \$585,000 or from \$200.62 to \$216.52 per square foot of living area, including land. The board of review submission included a map and property record cards for the subject, its five comparable sales and the appellant's comparable sales. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant critiqued the board of review's submission. The appellant also argued that the subject is a 34-year old property with no updates to décor and furnishings.

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 record contains an appraisal submitted by the appellant and information on five comparable sales provided by the board of review. The Board gives the final opinion of value found in the appraisal less weight due to lack of adjustments for a 2014 date of sale for appraisal comparables

#4 and #5 in relation to a 2016 market value date. The Board will consider the raw sales data for the comparables contain in this record.

The Board finds the best evidence of market value to be the board of review's comparable sales #2 and #5. These comparables sold proximate in time to the subject's assessment date and are more similar to the subject in location, age, dwelling size, design and features. They sold in April and July of 2015 for prices of \$440,000 and \$485,000 or \$206.77 to \$216.52 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$437,068 or \$198.31 per square foot of living area including land, which falls below the most similar comparable sales contained in the record which appears to be logical given the subject's inferior unfinished basement. The Board gave less weight to the appraisal comparable sales #4 and #5 due to their 2014 sale dates, which are less proximate in time for the January 1, 2016 assessment date at issue. The Board also gave little weight to the appraisal comparable sales #1 through #3 and the board of review's comparable sales #1, #3 and #4 due to their differences in size when compared to the subject property. Based on this evidence the Board finds the subject is not overvalued and a reduction in the 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(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: October 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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