



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

APPELLANT: Kent Erickson
DOCKET NO.: 16-05519.001-R-1
PARCEL NO.: 06-02-403-008

The parties of record before the Property Tax Appeal Board are Kent Erickson, 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: \$83,060
IMPR.: \$88,680
TOTAL: \$171,740

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 is improved with a 1½-story dwelling of frame and brick construction with 1,859 square feet of living area. The dwelling was constructed in 1939. Features of the home include an unfinished basement, central air conditioning, two fireplaces and a one-car attached garage with 304 square feet of building area. The property has a 10,441 square foot site and is located in Elmhurst, York Township, DuPage County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on December 12, 2014, for a price of \$480,000. The appellant completed Section IV – Recent Sale Data of the appeal disclosing the property was purchased from the Geraldine B. Meyers Trust and the parties were not related. The appellant further indicated the property was sold through a Realtor, the property had been advertised for sale in the Multiple Listing Service and the property had been advertised for six months. To document the purchase price the appellant submitted a copy of the closing

statement. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$171,740. The subject's assessment reflects a market value of \$515,891 or \$277.51 per square foot of living area, land included, when using the 2016 three-year average median level of assessment for DuPage County of 33.29% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information provided by the York Township Assessor's Office. It was asserted in a memorandum that the subject's assessment was reduced in 2015 to \$161,050. For 2016 the board of review reduced the subject's assessment from \$172,870 to \$171,740 based on the 2014 sales price resulting in an assessment of \$160,000 and increased by the 2016 township equalization factor of 1.0734.

To support the assessment six comparables were identified, which included five sales. The sales included one ranch-style dwelling and four 1½-story dwellings of brick, masonry or stone construction and stucco or dryvit construction that range in size from 1,403 to 2,046 square feet of living area. The dwellings were built from 1927 to 1965. Each comparable has a basement and a one-car or a two-car garage. The sales occurred from April 2014 to September 2016 for prices ranging from \$450,000 to \$595,000 or from \$290.81 to \$323.35 per square foot of living area, including land.

The board of review contends the market value of the subject property as reflected by the assessment is a reasonable one.

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 provided evidence that the subject property was purchased in December 2014, approximately one year prior to the assessment date, for a price of \$480,000 or \$258.20 per square foot of living area, including land. The record indicates the subject's purchase had the elements of an arm's length transaction. The board of review's submission included five sales, four of which were similar to the subject property in style, age and features. Less weight was given comparable #3 due to differences from the subject property in style and age. The four comparables most similar to the subject sold from April 2014 to September 2016 for prices ranging from \$450,000 to \$595,000 or from \$290.81 to \$320.74 per square foot of living area, including land. The sales that occurred most proximate in time to the assessment date, board of review comparables #1 and #6, had unit prices of \$290.81 and \$320.74 per square of living area, including land. The subject's assessment reflects a market value of \$515,891 or \$277.51 per square foot of living area, including land, which is within the overall price range but below the

range on a square foot basis established by the best comparable sales in this record. After considering the sale of the subject property and the best sales provided by the board of review, the Board finds the subject's assessment is reflective of the property's market value as of January 1, 2016. Based on this record the Board finds the assessment of the subject property as established by the board of review is correct and a reduction 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: December 18, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Kent Erickson
256 W Winthrop Ave
Elmhurst, IL 60126

COUNTY

DuPage County Board of Review
DuPage Center
421 N. County Farm Road
Wheaton, IL 60187