



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

APPELLANT: Anton J. Fakhouri
DOCKET NO.: 16-05693.001-R-1
PARCEL NO.: 09-36-208-014

The parties of record before the Property Tax Appeal Board are Anton J. Fakhouri, the appellant, by attorney John P. Fitzgerald, of Fitzgerald Law Group, P.C. in Burr Ridge; and the DuPage County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **A Reduction** 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: \$227,890
IMPR.: \$183,052
TOTAL: \$410,942

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 part two-story and part one-story dwelling of frame construction with 6,497 square feet of living area. The dwelling was constructed in 1960, with additions in 1976 and 2002. Features of the home include a slab foundation, central air conditioning, four fireplaces and an attached 738 square foot garage. The property has a 157,310 square foot site and is located in Burr Ridge, Downers Grove Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted a retrospective appraisal estimating the subject property had a market value of \$1,135,000 as of January 1, 2016. The appellant's appraisal was completed using the sales comparison approach in estimating a market value for the subject property. The appellant's appraisers selected five suggested comparable properties that were located in Burr Ridge, however, one of these was in Cook County. The comparables were one-story or multi-storied

dwellings of frame or masonry construction that ranged in size from 2,350 to 5,179 square feet of living area. The comparables were built from 1942 to 1995. The comparables had other features with varying degrees of similarity to the subject. The comparables had sale dates ranging from August 2013 to October 2016 for prices ranging from \$505,000 to \$1,100,000 or from \$160.26 to \$217.78 per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$443,220. The subject's assessment reflects a market value of \$1,331,391 or \$204.92 per square foot of building 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 a grid analysis containing information on three sales that were located in Burr Ridge. The comparables were multi-storied dwellings of frame, masonry or frame and masonry construction that ranged in size from 5,045 to 5,777 square feet of living area. The comparables were built from 1988 to 1990. The comparables had other features with varying degrees of similarity to the subject. The sales occurred from March 2014 to May 2015 for prices ranging from \$1,087,500 to \$1,219,900 or from \$210.35 to \$235.88 per square foot of living area, including land.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the appellant's appraisal's comparables #1 and #3, as well as the board of review's comparable sale #3. These comparables were most similar to the subject in location, design, age, size and features. These comparables also sold proximate in time to the January 1, 2016 assessment date at issue. The most similar comparables sold from February 2015 to October 2016 for prices ranging from \$830,000 to \$1,219,900 or from \$160.26 to \$211.51 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,331,391 or \$204.92 per square foot of living area, including land, which is above the range established by the best comparables in this record on a total market value basis and within the range on a per square foot basis. However, after adjusting the comparables for differences when compared to the subject, the Board finds the subject is overvalued. The Board gave less weight to the appellant's appraisal's value conclusion due to the appraisers use of a comparable property that was located in Cook County, unlike the subject. Furthermore, the appellant's appraisal's comparable #4 is significantly smaller and older than the subject. This comparable, along with appellant's appraisal's comparable #5 and the board of review's comparables #1 and #2, are dated sales from 2013 and 2014. Based on this evidence the Board finds a reduction in the subject's assessment is 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: November 20, 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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