



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

APPELLANT: Estado Del Roble, LLC
DOCKET NO.: 16-05790.001-R-2
PARCEL NO.: 09-12-410-013

The parties of record before the Property Tax Appeal Board are Estado Del Roble, LLC, the appellant, by attorney George J. Relias, of Relias Law Group, Ltd. 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: \$289,700
IMPR.: \$1,436,200
TOTAL: \$1,725,900

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 one-story and part two-story dwelling of frame construction with 9,294 square feet of living area. The dwelling was constructed in 2007. Features of the home include a full finished basement, which includes a 1,914 square foot sports court, central air conditioning, four fireplaces and a 1,147 square foot garage. The subject has a 576 square foot in-ground swimming pool and a 3-stop elevator. The property has a 33,230 square foot site and is located in Hinsdale, Downers Grove Township, DuPage County.

The appellant contends assessment inequity as the basis of the appeal. The subject's land assessment was not contested. In support of this argument the appellant submitted information on five equity comparables located in the same neighborhood assigned by the township assessor as the subject property. The comparables were improved with multi-storied brick dwellings that ranged in size from 8,156 to 10,830 square feet of living area. The dwellings were constructed

from 1988 to 2008. Each comparable has a basement with finished area of 75% or 100%, central air conditioning, from four to eight fireplaces and a garage ranging in size from 1,170 to 1,406 square feet of building area. Comparables #1 and #2 have a 3-stop elevator. Comparable #3 has a sport court and #5 has an in-ground swimming pool.¹ The comparables had improvement assessments that ranged from \$962,050 to \$1,390,640 or from \$117.96 to \$131.64 per square foot of living area. Based on this evidence, the appellant requested that the subject's improvement assessment be reduced to \$1,146,501 or \$123.36 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 \$1,725,900. The subject property has an improvement assessment of \$1,436,200 or \$154.53 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 in the same neighborhood assigned by the township assessor as the subject property. The comparables were improved with multi-storied frame and brick or brick dwellings that ranged in size from 7,355 to 10,926 square feet of living area. The dwellings were constructed from 2004 to 2009. Each comparable has a basement with finished area of 75% or 100%, central air conditioning, from three to ten fireplaces and a garage ranging in size from 814 to 2,018 square feet of building area. Comparable #1 has an in-ground swimming pool. Comparable #3 has an in-ground swimming pool, a 3-stop elevator and a sport court. The comparables had improvement assessments that ranged from \$1,136,210 to \$1,646,930 or from \$138.39 to \$157.41 per square foot of living area. Based on this evidence, the board of review requested that the assessment be confirmed.

Conclusion of Law

The taxpayer contends 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 appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted eight suggested comparables for the Board's consideration. The Board finds the best evidence of assessment equity to be the appellant's comparable #5, as well as the board of review's comparables #1 and #3. These comparables were most similar to the subject in location, dwelling size, design and features when compared to the subject property. These comparables had improvement assessments ranging from \$1,157,740 to \$1,646,930 or from \$131.64 to \$157.41 per square foot of living area. The subject's improvement assessment of \$1,436,200 or \$154.53 per square foot of living area falls within the range of the best comparables in this record. The Board gave less weight to the parties' remaining comparables due to their differences in age and/or features, when compared to the subject. Based on this record the Board finds the appellant did not demonstrate with clear and convincing evidence that

¹ Due to greater details in characteristics, the data is drawn from the board of review reiteration of the appellant's comparables and property record cards.

the 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(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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