



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

APPELLANT: Anthony Chiovari
DOCKET NO.: 16-05806.001-R-1
PARCEL NO.: 08-13-411-015

The parties of record before the Property Tax Appeal Board are Anthony Chiovari, the appellant, by attorney Ronald Justin of the Law Offices of Ronald Justin 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: \$47,500
IMPR.: \$36,110
TOTAL: \$83,610

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 one-story single-family dwelling of frame construction with 1,432 square feet of living area. The dwelling was constructed in 1962. Features of the home include an 800-square foot attached garage. The property has a 7,249-square foot site and is located in Downers Grove, Lisle Township, DuPage County.¹

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on three comparable sales located from .52 of a mile to 1.46 miles from the subject property. The comparables are described as condominiums with frame construction ranging in size from 1,118 to 1,385 square feet of living area. The dwellings were constructed in 1959 or 1969. One comparable has central air conditioning and two comparables have a garage containing 484 or

¹ The appellant submitted limited description of the subject; some of the descriptive information was gleaned from the board of review evidence submitted.

528 square feet of building area. Two properties have sites measuring 19,598 or 44,811 square feet of land area. The comparables sold in June or October 2015 for prices ranging from \$70,000 to \$151,151 or from \$18.63 to \$23.73 per square foot of living area including land. Based on this evidence, the appellant requested a reduction in the subject's total assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$83,610. The subject's assessment reflects a market value of \$251,157 or \$175.39 per square foot of living area including land when applying 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 the subject's assessment, the board of review submitted information on three comparable sales located within .66 of a mile from the subject property. The comparables are improved with one-story single-family dwellings of frame construction ranging in size from 1,338 to 1,400 square feet of living area. The dwellings were constructed from 1953 to 1961. One comparable features a basement; two comparables have central air conditioning and a fireplace, and each has a garage ranging from 624 to 984 square feet of building area. The properties have sites ranging in size from 14,802 to 27,512 square feet of land area. The comparables sold from February 2015 to January 2016 for prices ranging from \$239,000 to \$290,000 or from \$173.19 to \$207.14 per square foot of living area including land. Based on this evidence, the board of review requested that the subject property's assessment be confirmed.

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 Board finds the parties submitted a total of six suggested sale comparables for the Board's consideration with various degrees of similarity to the subject property. The Board gave less weight to appellant's comparable #1 and #3 due to their lack of proximity to the subject. In addition, appellant's comparable #3 is a condominium unit in a multi-unit building which is significantly different from the subject's single-family dwelling. The Board gave less weight to appellant's comparable #2 due to its smaller size when compared to the subject. The Board gave less weight to board of review comparable #1 due to it having a superior basement and air conditioning, unlike the subject.

The Board finds the best evidence of market value to be the board of review comparable sales #2 and #3. The Board finds these comparables are most similar to the subject in location, dwelling size, age, design and features. These comparables sold in February and December 2015 for prices of \$239,000 and \$290,000 or \$173.19 and \$207.14 per square foot of living area, including land. The subject's assessment reflects a market value of \$251,157 or \$175.39 per square foot of living area, including land, which is supported by two most similar comparable sales in this record. After considering adjustments to the comparables for differences when

compared to the subject, the Board finds that the appellant did not demonstrate by a preponderance of the evidence that the subject was overvalued. Therefore, the Board finds that the subject's estimated market value as reflected by its assessment is supported. Based on this record, the Board finds that no 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: March 19, 2019



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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