



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

APPELLANT: AMH 20142 Borrower LLC
DOCKET NO.: 16-05943.001-R-1
PARCEL NO.: 07-26-111-059

The parties of record before the Property Tax Appeal Board are AMH 20142 Borrower LLC, the appellant, by attorney Michael R. Davies of Ryan Law LLP 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: \$15,380
IMPR.: \$36,400
TOTAL: \$51,780

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 townhouse of frame construction with 1,288 square feet of living area. The dwelling was constructed in 1995. Features of the property include 2½ bathrooms and a garage with 200 square feet of building area. The property has a 1,801 square foot site and is located in Naperville, Naperville Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales improved with two-story townhouses built in 1995 with either 1,288 or 1,298 square feet of living area. The descriptive information provided by the board of review disclosed each comparable has 2½ bathrooms and a one-car garage with 200 square feet of building area. The sales occurred from February 2013 to July 2015 for prices ranging from \$147,000 to \$152,000 or from \$113.25 to \$118.01 per square foot of living area, including land. The appellant requested the assessment be reduced to \$49,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$51,780. The subject's assessment reflects a market value of \$155,542 or \$120.76 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 on five comparable sales improved with two-story townhouses built in 1994 and 1995 with either 1,288 or 1,298 square feet of living area. Each comparable has 2½ bathrooms and a one-car garage with 200 square feet of building area. The sales occurred from September 2013 to November 2015 for prices ranging from \$156,500 to \$175,500 or from \$121.51 to \$135.21 per square foot of living area, including land.

The board of review submission described the location of the subject and various comparables as inside units, inside units on busy street, end unit, or end unit busy street. The board of review requested confirmation of the assessment.

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 best evidence of market value to be appellant's comparable sales #3 and #4 and comparables #1 through #4 submitted by the board of review. These comparables are similar to the subject in all respects and sold during 2015 for prices ranging from \$148,500 to \$175,500 or from \$113.25 to \$135.21 per square foot of living area, including land. The two townhomes that were not located along a busy street, like the subject property, had prices of \$175,500 and \$170,000 or \$135.21 and \$130.97 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$155,542 or \$120.76 per square foot of living area, including land, which is within the range established by the best comparable sales in this record and below the price of the comparables with similar locations as the subject. Less weight was given appellant's comparables #1 and #2 as well as board of review comparable #5 because their 2013 sale dates are not as proximate in time to the assessment date as the remaining sales provided by the parties. Based on this evidence the Board finds 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: June 16, 2020



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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