



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

APPELLANT: AMH 20142 Borrower LLC  
DOCKET NO.: 16-05964.001-R-1  
PARCEL NO.: 07-20-202-026

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:** \$16,870  
**IMPR.:** \$45,860  
**TOTAL:** \$62,730

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 dwelling of frame and masonry construction with 1,620 square feet of living area. The dwelling was constructed in 2004 and has a two-car garage. The property is located in Aurora, 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 that sold from October 2013 to April 2015 for prices ranging from \$119,333 to \$182,000. The appellant provided little descriptive information about the purported comparable sales or the subject property for comparison. The appellant's submission included a list of 9 sales that sold from December 2012 to June 2015 for

prices ranging from \$119,333 to \$182,000.<sup>1</sup> The list included the four sales used on the appellant's comparable sales grid. The appellant requested the assessment be reduced to \$39,778.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$62,730. The subject's assessment reflects a market value of \$188,435 or \$116.32 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.

As to the appellant's comparable sales, the board of review submitted information critiquing the appellant's submission, including that the appellant's comparable sale #4 actually sold for a price of \$179,000. In further support, the board of review included the PTAX-203 Illinois Real Estate Transfer Declaration for the sale.

In support of its contention of the correct assessment the board of review submitted information on five comparable sales. The comparables were two-story townhouses of frame and masonry construction that contain 1,620 square feet of living area. The homes were built in 2004 or 2005 and have a two-car garage. The comparables had sale dates occurring from May 2014 to June 2017 for prices ranging from \$182,799 to \$226,000 or from \$112.84 to \$139.51 per square foot of living area, including land. Based on this evidence, the board of review requested the subject'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.

As an initial matter regarding the sale price for the appellant's comparable sale #4, the Board finds the purchase price was \$179,000 as documented by the board of review's submission.

The parties submitted a total of nine gridded comparable sales for the Board's consideration. The Board gave less weight to the appellant's comparable sales #1 through #3, as well as the board of review's comparable sales #4 and #5, due to the sales having occurred greater than 19 months prior to the January 1, 2016 assessment date at issue. The Board also gave less weight to the board of review's comparable sale #3 due to its sale occurring greater than 18 months after the assessment date at issue. The Board finds the best evidence of market value to be the appellant's comparable sale #4, as well as the board of review's comparable sales #1 and #2. These comparables were most similar to the subject in style, size, age and features. These sales

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<sup>1</sup> The appellant's list of 9 sales did not include specific information regarding the features of the comparables, that would be necessary for the Board to make a proper comparable analysis to the subject. Therefore, no further analysis will be done on the list.

also occurred more proximate in time to the assessment date at issue, than did the parties' other comparable sales. The best comparables sold from April 2015 to August 2016 for prices ranging from \$179,000 to \$205,000 or from \$111.88 to \$126.54 per square foot of living area, including land. The subject's assessment reflects a market value of \$188,435 or \$116.32 per square foot of living area, including land, which falls within the range established by the best comparable sales in this record. 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.

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Chairman



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Member



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Member



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Member



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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 19, 2019



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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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