



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

APPELLANT: Victoria M. Fox
DOCKET NO.: 16-05970.001-R-1
PARCEL NO.: 05-19-412-034

The parties of record before the Property Tax Appeal Board are Victoria M. Fox, 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: \$17,720
IMPR.: \$72,240
TOTAL: \$89,960

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 dwelling of frame exterior construction with 1,996 square feet of living area. The dwelling was constructed in 1974. Features of the home include an unfinished basement, central air conditioning and a 420 square foot garage. The property has a 2,774 square foot site and is located in Wheaton, Milton Township, DuPage County.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of the overvaluation claim, the appellant submitted limited descriptive information for twelve comparable properties reported to be located within .13 of a mile from the subject property. The Board requested that the appellant complete the grid analysis in Section V of the appeal petition. The appellant failed to comply with the Board's request and failed to disclose the comparables' exterior construction, foundation type and features such as central air conditioning, fireplaces and garages. The comparables were reported

to consist of two-story dwellings built in 1974 and ranged in size from 1,766 to 1,966 square feet of above grade living area. The comparables have sites reported to range in size from 2,336 to 2,737 square feet of land area. The comparables sold from December 2012 to December 2015 for prices ranging from \$176,667 to \$257,500 or from \$95.24 to \$138.73 per square foot of living area, land included. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$89,960. The subject's assessment reflects a market value of \$270,231 or \$135.39 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 a grid analysis along with property record cards on four comparable sales, two of which were submitted by the appellant. The properties are located less than a mile from the subject property. The board of review comparables #3 and #4 are the same properties as appellant's comparables #1 and #3, respectively. The four comparables are described as two-story dwellings containing 1,766 to 1,996 square feet of living area. The comparables were built in 1974. Each comparable has a basement with one having finished area, central air conditioning and a garage with 420 square feet of building area. One comparable has a fireplace. The comparables have sites ranging in size from 2,336 to 2,701 square feet of land area. The comparables sold from April 2015 to September 2016 for prices ranging from \$245,000 to \$290,000 or from \$138.73 to \$145.29 per square foot of living area, including land.

The board of review also submitted property records and a grid analysis of the appellant's comparables #1 through #4. The board of review's property record card indicates appellant's comparable #3 sold for \$266,500 or \$143.67 instead of \$177,667 or \$95.78 in April 2015. The Board finds the documentation supports the board of review's analysis of this property. Based on the evidence, the board of review requested confirmation of the subject's 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 parties submitted fourteen suggested comparable sales for the Board's consideration which includes two common comparables. The Board gave less weight to the appellant's comparables #5 through #12 as the appellant's attorney failed to provide descriptive information for exterior construction, foundation type and features such as central air conditioning, fireplaces and garages for a comparative analysis which detracts from the weight of the evidence. Furthermore, the Board gave less weight to the appellant's comparables #2, #4, #9 and #10 based on their sales from 2012 to 2014 which were dated and less reflective of market value as of the subject's

January 1, 2016 assessment date. Lastly, reduced weight was given to board of review comparable #1 based on its superior finished basement area when compared to the subject.

The Board finds the best evidence of market value to be the two common comparables submitted by both parties and board of review comparable #2. These three comparables are most similar to the subject in location, design, age and features. These properties sold from April 2015 to September 2015 for prices ranging from \$245,000 to \$266,500 or from \$138.73 to \$143.67 per square foot of living area, including land. The subject's assessment reflects a market value of \$270,231 or \$135.39 per square foot of living area, including land, which falls slightly above on a market value basis and slightly below on a per square foot basis as established by the most similar comparable sales in this record. After considering adjustments to the comparables for differences such as dwelling size when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported. Therefore, no reduction in the subject's assessment is warranted.

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 18, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Victoria M Fox , by attorney:
Michael R. Davies
Ryan Law LLP
311 South Wacker Drive
Mailbox #29
Chicago, IL 60606

COUNTY

DuPage County Board of Review
DuPage Center
421 N. County Farm Road
Wheaton, IL 60187