



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

APPELLANT: AMH 20142 Borrower LLC
DOCKET NO.: 16-05972.001-R-1
PARCEL NO.: 05-03-110-009

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: \$5,500
IMPR.: \$46,730
TOTAL: \$52,230

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 condominium of frame exterior construction with 1,432 square feet of living area. The dwelling was constructed in 1995. Features of the home include central air conditioning and a 264 square foot garage.¹ The property is located in Carol Stream, DuPage Township, Will 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 three comparable properties that were located from 1.47 to 1.69 miles from the subject property. The appellant did not disclose the comparables' exterior construction, foundation type and features such as central air conditioning, fireplaces and garages. The

¹ The subject's design and features were drawn from evidence provided by the board of review.

comparables consist of two-story dwellings ranging in size from 1,020 to 1,224 square feet of living area. The dwellings were built from 1963 to 1975. The comparables sold from July 2016 to September 2016 for prices ranging from \$59,100 to \$151,667 or from \$48.28 to \$137.38 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 \$52,230. The subject's assessment reflects a market value of \$156,894 or \$109.56 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 located in the same neighborhood code as the subject property as defined by the local assessor. The comparables consist of two-story condominiums of frame exterior construction built from 1995 to 1997. The dwellings contain 1,432 square feet of living area. Each comparable has central air conditioning and a garage containing 264 square feet of building area. The comparables sold from June 2014 to April 2016 for prices ranging from \$160,000 to \$195,000 or from \$111.73 to \$136.17 per square foot of living area, including land.

The board of review also noted that appellant's comparables were not located in Milton Township. Based on this 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 Board finds the parties submitted eight suggested comparable sales for consideration. The Board gave less weight to the appellant's comparables based on their distant location from the subject property. Furthermore, the Board gave reduced weight to the appellant's comparables as the appellant's attorney failed to provide descriptive information for a comparative analysis which detracts from the weight of the evidence. The Board also gave less weight to the board of review comparable #1 based on its dated sale that occurred in June 2014 which was less proximate in time to the January 1, 2016 assessment date.

The Board finds the best evidence of market value to be the remaining comparables submitted by the board of review. These four comparables are nearly identical to the subject in location, design, age, dwelling size, and features. The comparables sold from April 2015 to April 2016 for prices ranging from \$160,000 to \$195,000 or from \$111.73 to \$136.17 per square foot of living area, including land. The subject's assessment reflects a market value of \$156,894 or \$109.56 per square foot of living area, including land which falls below the range established by

the most similar comparable sales in this record. Based on this record the Board finds the appellant did not demonstrate by a preponderance of the evidence that the subject was overvalued and 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: 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

AMH 20142 Borrower LLC, 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