



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

APPELLANT: Triumph 401 Park LLC
DOCKET NO.: 16-05988.001-R-1
PARCEL NO.: 09-10-401-055

The parties of record before the Property Tax Appeal Board are Triumph 401 Park 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: \$59,690
IMPR.: \$70,820
TOTAL: \$130,510

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 dwelling of frame exterior construction with 1,194 square feet of living area. The dwelling was constructed in 1985. Features of the home include a partial basement with finished area, a fireplace and a 576 square foot garage. The property has a 7,950 square foot site¹ and is located in Clarendon Hills, Downers Grove 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 fifteen comparable properties reported to be located from .02 to .47

¹ The parties differ slightly as to the size of the subject's site. The Board finds the discrepancy will not impact the Board's decision in this appeal.

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 one-story or one and one half-story dwellings built from 1951 to 1985 and ranging in size from 1,080 to 1,335 square feet of above grade living area. The comparables have sites reported to range in size from 6,632 to 29,751 square feet of land area. The comparables sold in May 2013 to December 2015 for prices ranging from \$195,000 to \$365,000 or from \$147.06 to \$305.70 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 \$130,510. The subject's assessment reflects a market value of \$392,040 or \$328.34 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 and PTAX-203 Real Estate Transfer Declarations on three comparable sales located in the same neighborhood code as the subject as defined by the township assessor. The comparables are described as one-story dwellings containing 981 to 1,263 square feet of living area. The comparables were built from 1954 to 1975. Each comparable has a basement with one having finished area; two comparables have central air conditioning; and each comparable has a garage ranging in size from 247 to 500 square feet of building area. The comparables have sites ranging in size from 5,625 to 12,150 square feet of land area. The comparables sold from September 2013 to July 2015 for prices ranging from \$325,000 to \$445,000 or from \$331.29 to \$387.64 per square foot of living area, including land.

The board of review also submitted a narrative critiquing the appellant's submission along property records, PTAX-203 Real Estate Transfer Declarations and a grid analysis of the appellant's comparables #1 thru #14. The board of review also argued appellant's comparables #4 thru #14 were located in inferior neighborhoods than the subject. 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 no reduction in the subject's assessment is warranted.

The parties submitted seventeen suggested comparable sales for the Board's consideration. The Board gave less weight to the appellant's comparables #1, #2, #4, #7, #11, #13, #14, and #15 along with board of review comparable #3 based on their dated 2013 and 2014 sales that were less reflective of market value as of the subject's January 1, 2016 assessment date. Reduced

weight was also given to the appellant's comparables for their inferior locations (#4 thru #14), lack of basements (#3 and #6) and dissimilar styles (#2, #3, #4 and #9 thru #12) when compared to the subject.

The Board finds the best evidence of market value to be board of review comparables #1 and #2. These two comparables are most similar to the subject in location, size, design and features. These comparables sold in June and July 2015 for prices of \$325,000 and \$445,000 or \$331.29 and \$387.64 per square foot of living area, including land. The subject's assessment reflects a market value of \$392,040 or \$328.34 per square foot of living area, including land, which is well supported by the best comparable sales in this record. After considering adjustments to the comparables for differences 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

Triumph 401 Park 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