



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

APPELLANT: IH3 Property Illinois, LP  
DOCKET NO.: 16-06194.001-R-1  
PARCEL NO.: 08-07-311-001

The parties of record before the Property Tax Appeal Board are IH3 Property Illinois, LP, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld and Associates, LLC 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:** \$56,080  
**IMPR.:** \$72,480  
**TOTAL:** \$128,560

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 2,024 square feet of living area. The dwelling was constructed in 1967. Features of the home include a an unfinished basement, central air conditioning, a fireplace and a 528 square foot garage. The property has a 9,922 square foot site and is located in Naperville, Lisle Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales located within the same neighborhood code as the subject as assigned by the assessor. The comparables are described as two-story dwellings of frame exterior construction ranging in size from 2,040 to 2,592 square feet of living area. The dwellings were constructed in 1966 or 1967. Each comparable features an unfinished basement, central air conditioning and a garage ranging in size from 420 to 573 square feet of

building area. Two comparables have a fireplace. The comparables have sites ranging in size from 10,967 to 11,424 square feet of land area.<sup>1</sup> The comparables sold from May 2014 to April 2016 for prices ranging from \$325,625 to \$415,000 or from \$159.62 to \$165.12 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's total assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$128,560. The subject's assessment reflects a market value of \$386,182 or \$190.80 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 response to the appellant's evidence, the board of review submitted a detailed grid analysis of the appellant's comparables and a map depicting the locations of both parties comparables and the subject.

In support of the subject's assessment, the board of review submitted information on five comparable sales that are located in the same neighborhood code as assigned by the township assessor. The comparables are improved with one two-story dwelling and four, part two-story and part one-story dwellings of frame exterior construction ranging in size from 1,810 to 2,490 square feet of living area. The dwellings were constructed from 1963 to 1967. The comparables have basements, four of which have finished areas; five comparables have central air conditioning; and each comparable has one or two fireplaces and a garage ranging in size from 420 to 483 square feet of building area. The comparables have sites ranging in size from 10,503 to 13,009 square feet of land area. The comparables sold from January 2015 to February 2016 for prices ranging from \$365,000 to \$505,000 or from \$198.08 to \$225.49 per square foot of living area, including land. Based on this evidence, the board of review requested that the subject property'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.

The Board finds the parties submitted eight comparable sales for consideration. The Board gave less weight to appellant's comparable #1 that sold in May 2014 which is less proximate in time to the subject's January 1, 2016 assessment date. Reduced weight was also given to appellant's

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<sup>1</sup> The appellant's grid analysis lacked some pertinent descriptive data, which was drawn from the evidence provided by the board of review.

comparable #3 and the board of review comparable #4 based on their larger dwelling sizes when compared to the subject.

The Board finds the best evidence of market value to be the remaining comparables submitted by both parties. These five comparables are most similar to the subject in dwelling size, design, age and most features. These properties sold from January 2015 to March 2016 for prices ranging from \$365,000 to \$460,000 or from \$165.12 to \$225.49 per square foot living area, including land. The subject's assessment reflects an estimated market value of \$386,182 or \$190.80 per square foot of living area, including land, which falls within the range established by the most similar comparable sales contained in the record. After considering adjustments to the comparables for differences including basement finish when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported. Based on this record, the Board finds the appellant failed to demonstrate by a preponderance of the evidence that the subject was overvalued and a reduction in the subject's assessment is not 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.

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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: August 20, 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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