



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

APPELLANT: Mathai Mathai
DOCKET NO.: 16-06214.001-R-1
PARCEL NO.: 06-11-104-004

The parties of record before the Property Tax Appeal Board are Mathai Mathai, 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: \$68,600
IMPR.: \$202,630
TOTAL: \$271,230

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 dwelling of masonry exterior construction with 3,672 square feet of living area. The dwelling was constructed in 2006. Features of the home include an unfinished basement, central air conditioning, a fireplace and a 632 square foot garage. The property has a 8,528 square foot site and is located in Elmhurst, York 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, two of which are located in the same neighborhood code as the subject as defined by the township assessor. The comparables are described as two-story dwellings of frame and masonry or masonry exterior construction ranging in size from 3,477 to 4,168 square feet of living area. The dwellings were constructed from 1996 to 2006. Each comparable has a basement, one with finished area, central air conditioning, one

or two fireplaces and a garage ranging in size from 480 to 739 square feet of building area. The comparables have sites ranging in size from 8,400 to 10,500 square feet of land area.¹ The comparables sold from February 2015 to January 2016 for prices ranging from \$625,000 to \$762,500 or from \$182.94 to \$215.42 per square foot of living area, including land. Based on this evidence, the appellants 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 \$271,230. The subject's assessment reflects a market value of \$814,749 or \$221.88 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 the subject's assessment, the board of review submitted information on six comparable sales located within the same neighborhood code as the subject as defined by the township assessor. The comparables are improved with two-story dwellings of frame, frame and masonry or masonry exterior construction ranging in size from 3,263 to 3,961 square feet of living area. The dwellings were constructed from 2001 to 2006. Each comparable features a basement, two with finished area, central air conditioning and a garage ranging in size from 399 to 650 square feet of building area. The comparables have sites ranging in size from 7,000 to 8,575 square feet of land area. The comparables sold from July 2014 to June 2016 for prices ranging from \$740,000 to \$872,500 or from \$199.33 to \$249.63 per square foot of living area, including land.

The board of review also submitted a memorandum and a PTAX-203 Real Estate Transfer Declaration for appellant's comparable #2 which shows the sale as a fulfillment of installment contract initiated in 2015. In addition, the board of review submitted a map that depicted the locations of the subject and both parties' comparables. 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 nine comparable sales for consideration. The appellant's comparables #1 and #3 were older in age and appellant's comparable #2 was larger in dwelling size than the subject, thus, were given less weight by the Board. The Board also gave less weight to board of review comparables #1 and #3 due to their superior finished basements when

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

compared to the subject. Lastly, the Board gave less weight to comparable #2 submitted by the board of review based on its dated 2014 that occurred 17 months prior to the January 1, 2016 assessment date and less indicative of market value.

The Board finds the best evidence of market value to be board of review comparables #3, #5 and #6. These three comparables are most similar to the subject in location, design, age, dwelling size and most features. The properties sold from October 2015 to June 2016 for prices ranging from \$770,000 to \$872,500 or from \$199.33 to \$249.63 per square foot living area, including land. The subject's assessment reflects an estimated market value of \$814,749 or \$221.88 per square foot of living area, including land, which falls within the range as established by the most similar comparable sales contained in the 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 and no reduction 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: May 21, 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

Mathai Mathai, by attorney:
Robert Rosenfeld
Robert H. Rosenfeld and Associates, LLC
33 North Dearborn Street
Suite 1850
Chicago, IL 60602

COUNTY

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