



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

APPELLANT: William Lui
DOCKET NO.: 16-06316.001-R-1
PARCEL NO.: 06-02-202-001

The parties of record before the Property Tax Appeal Board are William Lui, the appellant; 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: \$66,490
IMPR.: \$56,120
TOTAL: \$122,610

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 1-story dwelling of masonry construction with 1,618 square feet of living area. The dwelling was constructed in 1927. Features of the home include a full basement that has 3% finished area, central air conditioning, a fireplace and a two-car garage. The property has a 12,000 square foot site and is located in Elmhurst, York Township, DuPage County.¹

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$245,000 as of July 4, 2014.

¹ The Board finds the best evidence of the subject's dwelling size was the sketch of the subject dwelling contained within the appellant's appraisal. The Board also finds the appraisal included a photograph of the subject's basement depicting a finished bathroom.

The appellant's appraisal was completed using the sales comparison approach to value property in estimating a market value for the subject property. The appellant's appraiser selected four comparable properties that were located from .35 to 1.58 miles from the subject property. The comparables have lot sizes ranging from 7,000 to 9,975 square feet of land area. The comparables were described as "Cape Cod" or "Bungalow" style dwellings that ranged in size from 1,458 to 2,009 square feet of living area. The comparables were built from 1922 to 1943. The comparables have other features with varying degrees of similarity to the subject. The comparables had sale dates ranging from April to June 2014 and sold for prices ranging from \$199,900 to \$297,500 or from \$99.50 to \$187.46 per square foot of living area, including land. After adjustments, the comparables had adjusted sale prices ranging from \$239,649 to \$269,837 or from \$120.91 to \$185.07 per square foot of living area, including land. Based on this sales analysis, the appraiser estimated that the subject would have a value of \$245,000 as of July 4, 2014.

As an alternative argument in support of the subject being overvalued, the appellant submitted information on a comparable sale that was located within .4 of a mile from the subject property. The comparable has a lot size of 2,240 square feet of land area. The comparable was described as a 1.5-story dwelling of masonry construction containing 2,240 square feet of living area. The comparable was built in 1924. The comparable features a full unfinished basement, central air conditioning, a fireplace and a two-car garage. The comparable had a sale date occurring in 2014 and sold for a price of \$306,000 or \$136.61 per square foot of living area, including land.

Based on this evidence the appellant requested that the subject's assessment be reduced to \$102,610.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$122,610. The subject's assessment reflects a market value of \$368,309 or \$227.63 per square foot of living area, including land, 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 containing information on seven comparable properties, three of which were located within the same neighborhood code as the subject property. The comparables had lot sizes ranging from 5,625 to 9,801 square feet of land area. The comparables were described as "Bungalow" or 1.5-story dwellings that ranged in size from 986 to 2,115 square feet of living area. The comparables were built from 1920 to 1927. The comparables had other features with varying degrees of similarity to the subject. The comparables had sale dates ranging from April 2015 to June 2016 and sold for prices ranging from \$220,000 to \$540,000 or from \$223.12 to \$344.49 per square foot of living area, including land. The board of review's submission included a brief that argued the appellant's appraisal comparable #2, which was purchased in June 2014 for \$272,000, was torn down and had a new home built that sold in April 2015 for \$864,500. In addition, the board of review submitted a location map of the parties' comparables showing their proximity to the subject.

Based on this evidence the board of review requested that the subject'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.

As an initial matter regarding the appellant's appraisal, the Board gave less weight to the value conclusion due to the appraisal's effective date occurring 17 months prior to the January 1, 2016 assessment date at issue. In addition, the comparable sales used in the appraisal had sale dates occurring from April to June 2014, which would be less probative of market value as of the January 1, 2016 assessment date at issue.

Likewise, the Board gave less weight to the subject's sale that occurred greater than 20 months prior to the January 1, 2016 assessment date at issue.

Finally, the Board gave less weight to the appellant's grid comparable that sold in 2014 due to its sale not occurring proximate in time to the January 1, 2016 assessment date.

The Board finds the best evidence of market value to be the board of review's comparable sales #2 and #3. These comparables were similar to the subject in location, design, age, size and features. These comparables also sold proximate in time to the January 1, 2016 assessment date at issue. The best comparables sold in May and October 2015 for prices of \$449,900 and \$445,000 or \$344.49 and \$237.21 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$368,309 or \$227.63 per square foot of living area, including land, which is supported by the market values of the best comparables in this record. After considering adjustments to the comparables for differences when compared to the subject, such as the subject's larger lot size, the Board finds the subject's assessment is well supported. The Board gave less weight to the appellant's evidence in whole due to the sales occurring greater than 18 months prior to the January 1, 2016 assessment date at issue. The Board also gave less weight to the board of review's remaining comparables due to their significantly different sizes, when compared to the subject and/or their location outside of the subject's neighborhood code. Based on this evidence the Board finds a reduction in the subject's assessment is not 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: April 21, 2020



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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