



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

APPELLANT: George Molayal  
DOCKET NO.: 16-06324.001-R-1  
PARCEL NO.: 06-03-213-032

The parties of record before the Property Tax Appeal Board are George Molayal, 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 **a reduction** 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:** \$23,150  
**IMPR.:** \$96,690  
**TOTAL:** \$119,840

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 1,640 square feet of living area. The dwelling was constructed in 1995. Features of the home include a full finished basement, central air conditioning and a two-car garage. The property has an approximately 7,355 square foot site and is located in Elmhurst, York Township, DuPage County.<sup>1</sup>

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal prepared for a refinancing transaction estimating for the client Homeland Mortgage that the subject property had a market value of \$360,000 as of October 5, 2015.

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<sup>1</sup> The Property Tax Appeal Board recognizes that there are minor descriptive disagreements in the parties' respective evidence concerning both dwelling size and lot size of the subject property. The Board finds these small discrepancies do not impact the final determination of the correct assessment.

The appraisal was prepared by Eric R. Sutherland, a State of Illinois Certified Residential Real Estate Appraiser. In estimating the market value of the subject property, the appraiser developed the sales and income approaches to value.

Using the sales comparison approach, the appraiser provided information on three comparable sales and two comparable listings. Three of the comparables sold in June or July 2015 for prices ranging from \$344,000 to \$458,186 or from \$226.30 to \$295.22 per square foot of living area, including land. The two listings presented asking prices of \$389,500 and \$349,900 or \$258.98 and \$311.58 per square foot of living area, including land, respectively. After making adjustments to the comparables for differences from the subject, the appraiser estimated the comparables had adjusted prices ranging from \$349,800 to \$433,732. Based on this data the appraiser estimated the subject had an estimated value under the sales comparison approach of \$360,000. Using the income approach, the appraiser estimated the subject had a market value of \$400,000, including land.

In reconciling the two approaches to value, the appraiser gave greatest weight to the sales comparison approach to value and therefore estimated the subject property had a market value of \$360,000 or \$219.51 per square foot of living area, including land.

Based on this evidence, the appellant requested a reduction in the subject's assessment to \$119,150.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$132,100. The subject's assessment reflects a market value of \$396,816 or \$241.96 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 appraisal evidence, the board of review noted the date of valuation in the appraisal was three months prior to the assessment date at issue of January 1, 2016.

Additionally, in support of its contention of the correct assessment the board of review submitted a memorandum prepared by Judy Woldman, Deputy Assessor in York Township, along with a spreadsheet displaying six comparable sales and three of the comparables presented in the appellant's appraisal report.<sup>2</sup> As part of the memorandum, Woldman wrote, "there were not a lot of 2 story homes built in 1995 that sold in the last three years so I included any style home near the subject's age and square footage."

The board of review presented six comparable properties where board of review comparable #5 was the same property as appraisal sale #1. The unadjusted comparables consist of a one-story, a two-story and four, split-level dwellings that range in size from 1,245 to 2,925 square feet of living area. These six comparables sold between June 2014 and September 2015 for prices

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<sup>2</sup> The assessor did not include the two active listings that were set forth in the appellant's appraisal as comparables #4 and #5.

ranging from \$257,200 to \$620,000 or from \$206.59 to \$269.15 per square foot of living area, including land.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

The appellant timely filed rebuttal noting the only two-story sale within the subject's neighborhood was board of review sale #6 with a sale price of \$211.97 per square foot of living area, including land. He further noted that the only two-story sale within the appellant's appraisal report, sale #3, sold for \$226.30 per square foot of living area, including land.

### **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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the appraisal submitted by the appellant presenting an opinion of value of the subject property within three months of the assessment date at issue of \$360,000. The Property Tax Appeal Board has given little weight to board of review sales #2, #3, #4 and #6 as each of these sales occurred in 2014, a date more remote in time from the assessment date at issue of January 1, 2016. Additionally, the Board has given little weight to board of review comparable sale #1 which was a one-story (bungalow) as compared to the subject two-story dwelling. Thus, the only sale presented by the board of review that is relevant for consideration is sale #5 which is the same property presented as appraisal sale #1.

The subject's assessment reflects a market value of \$396,816 or \$241.96 per square foot of living area, including land, which is above the appraised value and above the overall unadjusted sale price of board of review comparable #5 that sold in July 2015 for \$344,000. On this record, the Property Tax Appeal Board finds the subject property had a market value of \$360,000 as of the assessment date at issue. Since market value has been established the 2016 three year average median level of assessments for DuPage County of 33.29% as determined by the Illinois Department of Revenue shall apply. (86 Ill.Admin.Code §1910.50(c)(1)).

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: February 18, 2020



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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

State of Illinois  
Property Tax Appeal Board  
William G. Stratton Building, Room 402  
401 South Spring Street  
Springfield, IL 62706-4001

APPELLANT

George Molayal  
195 N Highland Ave  
Elmhurst, IL 60126

COUNTY

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