



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

APPELLANT: Mohamed Hussain
DOCKET NO.: 16-06393.001-R-1
PARCEL NO.: 08-08-206-114

The parties of record before the Property Tax Appeal Board are Mohamed Hussain, 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 **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: \$58,010
IMPR.: \$175,020
TOTAL: \$233,030

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 brick exterior construction with 4,264 square feet of living area.¹ The dwelling was constructed in 2005. Features of the home include a full basement with finished area, central air conditioning, two fireplaces and a three-car garage. The property has a 11,316 square foot site and is located in Lisle, Lisle Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal of the subject property with an estimated market value of \$700,000 as of July 7, 2016. The appraisal was prepared by Linas Olsauskas, a State of Illinois

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

certified residential real estate appraiser. The property rights appraised were fee simple and the appraisal was performed in connection with a refinance transaction.

In estimating the market value, the appraiser developed the cost approach to value and the sales comparison approach to value. Using the cost approach, the appraiser estimated the subject property had a site value of \$175,000. The appraiser estimated the building improvements had a replacement cost new of \$610,600. Using an economic life of 70 years and a remaining economic life of 60 years, the appraiser calculated physical depreciation to be \$89,880. Adding the land value, \$6,000 site improvements value and the depreciated improvement value, the appraiser arrived at an estimated value under the cost approach of \$701,700.

Under the sales comparison approach to value the appraiser utilized three comparable sales and two active listings that are located from .11 to 2.57 miles from the subject property. The comparables are described as two-story dwellings ranging in size from 3,315 to 5,074 square feet of living area that were 10 to 25 years old. The comparables have basements, three of which have finished area. Each comparable features central air conditioning and a three-car garage. The comparables have sites ranging in size from 12,197 to 22,343 square feet of land area. Three of the comparables sold in June and July 2016 for prices ranging from \$675,000 to \$737,500 or from \$143.85 to \$189.50 per square foot of living area, including land. Comparable # 4 is listed for \$715,000 or \$215.69 per square foot of living area, including land. While comparable #6 is listed for \$794,500 or \$187.29 per square foot of living area, including land. The appraiser adjusted for differences to the subject in site size, age, condition, room count, baths, gross living area, basement size, finish and other features. After making adjustments to the comparables, the appraiser estimated the comparables had adjusted prices ranging from \$699,600 to \$778,600. Therefore, the appraiser estimated the subject had a market value of \$700,000 as of July 7, 2016. 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 \$297,190. The subject's assessment reflects a market value of \$892,731 or \$209.36 per square foot of living area, land included, when using 4,264 square feet of living area and applying 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 of the subject property the board of review provided information on five comparable sales located from .11 to 1.83 miles from the subject property. The comparable are improved with one, two-story and four, part two-story and part one-story dwellings ranging in size from 3,515 to 4,229 square feet of living area that were constructed from 1995 to 2014. The comparables have basements, one of which has finished area. Each comparable features central air conditioning, one or two fireplaces and a garage ranging in size from 669 to 766 square feet of building area. Three of the comparables have sites ranging in size from approximately 12,487 to 29,451 square feet of land area.² The comparables sold from February 2015 to April 2016 for prices ranging from \$675,000 to \$795,000 or from \$183.61 to \$198.01 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

² The Board finds the board of review failed to submit site sizes for two comparables.

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 gave less weight to board of review comparables due to their unadjusted differences in age, dwelling size and site size when compared to the subject. Additionally, the board of review failed to submit site sizes for comparables #1 and #2.

The Board finds the best evidence of market value to be the appraisal submitted by the appellant. The appraiser developed the sales comparison approach to value using three comparable sales and two active listings, with varying degrees of similarity to the subject property. The appraiser adjusted the comparables for differences from the subject property, which appeared reasonable, and arrived at an estimated market value of \$700,000. The subject's assessment reflects a market value of \$892,731 which is greater than the appraised value. Based on this record, the Board finds the subject property had a market value of \$700,000 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.

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 23, 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

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