



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

APPELLANT: AARMS Investment LLC
DOCKET NO.: 16-06632.001-R-1
PARCEL NO.: 07-19-104-181

The parties of record before the Property Tax Appeal Board are AARMS Investment LLC, the appellant, by attorney Jerri K. Bush, Attorney at Law 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: \$11,950
IMPR.: \$32,420
TOTAL: \$44,370

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 condominium of frame exterior construction with 1,256 square feet of living area. The dwelling was constructed in 2000. Features of the home include central air conditioning and a two-car garage. The property is located in Aurora, Naperville Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales located in the same neighborhood code as the subject property. The comparables are described as two-story condominiums of frame exterior construction containing 1,256 square feet of living area. The dwellings were constructed from 1999 to 2001. Each comparable features central air conditioning, one comparable has a fireplace and each comparable has a two-car garage. The comparables sold from October 2015 to January 2017 for prices ranging from \$121,000 to \$136,000 or from \$96.34 to \$108.28 per

square foot of living area, including land.¹ Based on this evidence, the appellant's 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 \$44,370. The subject's assessment reflects a market value of \$133,283 or \$106.12 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 four comparable sales located in the same neighborhood code as the subject. The comparables are improved with two-story condominiums of frame exterior construction containing 1,256 square feet of living area. The dwellings were constructed from 1999 to 2001. One comparable has a fireplace and each comparable has a two-car garage.² The comparables sold from May 2016 to July 2016 for prices ranging from \$137,000 to \$153,000 or from \$109.08 to \$121.82 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 the appellant's comparable #3 based on its 2017 sale date being less proximate in time to the January 1, 2016, assessment date.

The Board finds the best evidence of market value to be the remaining comparables submitted by the parties. These seven comparables which sold most proximate in time to the January 1, 2016 assessment date are nearly identical to the subject in dwelling size, design, age and most features. They sold from October 2015 to July 2016 for prices ranging from \$121,000 to \$153,000 or from \$96.34 to \$121.82 per square foot living area, including land. The subject's assessment reflects an estimated market value of \$133,283 or \$106.12 per square foot of living area, including land, which falls within the range as established by the best 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.

¹ The appellant failed to submit a sales price for comparable #1 which was drawn from evidence submitted by the board of review.

² The assessor's grid analysis submitted by the board of review did not include central air conditioning.

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

AGENCY

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