



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

APPELLANT: Mike Lane
DOCKET NO.: 17-05401.001-R-1
PARCEL NO.: 05-08-401-007

The parties of record before the Property Tax Appeal Board are Mike Lane, the appellant, by attorney George N. Reveliotis, of Reveliotis Law, P.C. in Park Ridge; 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: \$29,100
IMPR.: \$65,230
TOTAL: \$94,330

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 2017 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 split-level dwelling of frame and masonry construction with 1,500 square feet of living area. The dwelling was constructed in 1968. Features of the home include a 720 square foot finished lower level, central air conditioning, a fireplace and a 441 square foot attached garage. The property has a 10,585 square foot site and is located in Wheaton, Milton 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 \$200,000 as of January 1, 2016. The appellant's appraisal was completed using the cost and the sales comparison approaches in estimating a market value for the subject property.

¹ The parties differ slightly as to the size of the subject's lot and dwelling; however, the Board finds the differences will not impact the Board's decision for this appeal.

Under the cost approach, the appellant's appraiser calculated a site value for the subject of \$80,000. The appraiser then calculated a cost-new of the subject's improvements of \$200,400 and subtracted \$93,527 for depreciation to arrive at a depreciated value of the improvements of \$106,873. The appraiser next added \$30,000 for "As-is" value of the site improvements to arrive at an indicated value for the subject by the cost approach of \$216,873.

Under the sales comparison approach, the appellant's appraiser selected five suggested comparable properties that were one-story, one and one-half story or two-story dwellings that ranged in size from 1,296 to 1,956 square feet of living area. The comparables were built from 1910 to 1959. The comparables had other features with varying degrees of similarity to the subject. The comparables had sale dates ranging from June 2015 to January 2016 for prices ranging from \$190,000 to \$233,000 or from \$101.55 to \$177.47 per square foot of living area, including land. After adjustments the comparables had adjusted sale prices ranging from \$174,660 to \$212,086. Based on the adjusted sales, the appraiser arrived at an indicated value for the subject by the sales comparison approach of \$200,000.

Under reconciliation, the appraiser placed most weight on the sales comparison approach and estimated the subject property had a market value of \$200,000 as of January 1, 2016.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$94,330. The subject's assessment reflects a market value of \$283,018 or \$188.68 per square foot of living area including land, when using the 2017 three-year average median level of assessment for DuPage County of 33.33% as determined by the Illinois Department of Revenue.

As to the appellant's appraisal, the board of review submitted a brief from the Milton Township Assessor's Office critiquing the appraisal. The brief revealed that the appellant's appraisal comparable #1 was a one-story dwelling that was purchased in August 2015 for \$190,000 and subsequently torn down. A new two-story dwelling was built on the site and received a prorated building assessment in 2016. The property was then sold in July 2016 for a price of \$799,900. The brief also disclosed that the appellant's appraisal comparable #2 sold subsequently to the August 2015 sale for \$195,000, that was reported within the appraisal. This property's most recent sale occurred in August 2017 for \$225,000 or \$160.14 per square foot of living area, including land.

In support of its contention of the correct assessment the board of review submitted a grid analysis containing information on six comparable sales. The comparable properties were similar split-level dwellings that ranged in size from 1,186 to 1,615 square feet of living area. The comparables were built from 1959 to 1975 and had other features with varying degrees of similarity to the subject. The comparables had sale dates ranging from May 2015 to December 2016 for prices ranging from \$265,000 to \$435,000 or from \$204.28 to \$282.47 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 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 appraiser's use of dissimilar dwellings, when other similar split-level designed homes were available for comparison. In addition, the appraiser's comparable #1 was purchased as a tear-down, which would indicate the purchase price was indicative of the land value plus demolition cost. As such, the appraiser's land value estimate from the cost approach of \$80,000 would not be supported.

The Board finds the best evidence of market value to be the board of review's comparable sales #2, #4 and #6. These comparables were most 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 from May to December 2016 for prices ranging from \$285,500 to \$382,500 or from \$204.28 to \$236.84 per square foot of living area, including land. The subject's assessment reflects a market value of \$283,018 or \$188.68 per square foot of living area, including land, which is below the range established by the best comparables in this record. The Board gave less weight to the parties' remaining comparables due to their dissimilar dwelling designs, when compared to the subject or their sale dates occurring greater than 19 months prior to the assessment date at issue. 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: January 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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