



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

APPELLANT: Mike Lane
DOCKET NO.: 17-05459.001-R-1
PARCEL NO.: 06-04-101-015

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: \$17,100
IMPR.: \$44,110
TOTAL: \$61,210

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 one-story dwelling of frame, aluminum or vinyl exterior construction that has 1,170 square feet of living area. The dwelling was constructed in 1958. Features include 1.5 bathrooms and a two-car garage. The subject has a 15,725 square foot site. The subject property is located in York Township, DuPage County, Illinois.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation based on the subject's recent sale price. The appellant failed to complete Section IV of the residential appeal petition. It was unknown if the sale involved family or related parties or if the property was advertised for sale on the open market. The appellant submitted a copy of the settlement statement associated with the sale of the subject property depicting a sale price of \$142,500 in October 2017. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect its sale price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject property of \$61,210. The subject's assessment reflects an estimated market value of \$183,648 or \$156.96 per square foot of living area including land area when applying DuPage County's 2017 three-year average median level of assessment of 33.33%.

With respect to the subject's sale, the board of review submitted a copy of the Real Estate Transfer Declaration associated with the sale of the subject property. The document shows the subject property was not advertised for sale.

In support of the subject's assessment, the board of review submitted an analysis of six comparable sales. The evidence was prepared by the township assessor. The comparables are located in the same neighborhood code as the subject. They consist of one-story dwellings with combinations of frame, aluminum, vinyl, brick or stone exterior construction that were built from 1956 to 1964. The comparables have 1 or 1.5 bathrooms and a one or two-car garage. Two comparables have a basement. The dwellings range in size from 1,073 to 1,408 square feet of living area and are situated on sites that contain from 7,800 to 9,492 square feet of land area. The comparables sold from March 2015 to March 2017 for prices ranging from \$191,00 to \$208,000 or from \$174.64 to \$191.05 per square foot of living area including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation as a basis of the appeal. 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.

The Board gave little weight to the subject's October 2017 sale price. The Board finds the appellant failed to complete Section IV of the residential appeal petition. It was unknown if the sale involved family or related parties. Moreover, the board of review submitted a copy of the Real Estate Transfer Declaration associated with the subject's sale showing the subject property was not advertised for sale on the open market. Additionally, the settlement statement did not disclose the payment of any real estate commission or brokers fees. The Board finds the subject's transaction fails to meet two of the key fundamental elements of an arm's-length transaction.

The board of review submitted six comparable sales in support of the subject's assessment. The Board gave less weight to comparables #1, #3, #5 and #6. Comparables #1, #3 and #5 sold in 2015, which are dated and less indicative of market value as of the subject's January 1, 2017 assessment date. Additionally, the Board finds comparables #1 and #6 have superior basements and comparable #3 is larger in dwelling size when compared to the subject. The Board finds the two remaining comparables are most similar when compared to the subject in location, design, age, dwelling size and features, but have smaller sites. They sold in January and March of 2017 for prices of \$192,500 and \$205,000 or \$179.40 and \$191.05 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$183,648 or \$156.96 per square foot of living area including land, which is less than the most similar

comparable sales contained in the record. After considering any necessary 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. Based on this analysis, the Board finds no reduction in the subject's assessment is warranted.

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: September 15, 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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