



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

APPELLANT: Yuri Sokolov  
DOCKET NO.: 17-06250.001-R-1  
PARCEL NO.: 05-10-102-007

The parties of record before the Property Tax Appeal Board are Yuri Sokolov, the appellant, by Greg Earl, III, Attorney at Law, in Geneva, 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:** \$28,860  
**IMPR.:** \$197,810  
**TOTAL:** \$226,670

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 two-story dwelling of frame and masonry exterior construction with approximately 3,850 square feet of living area.<sup>1</sup> The dwelling was constructed in 2006. Features of the home include a full basement with 70% finished area, central air conditioning,

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<sup>1</sup> The appellant's appraiser included a schematic drawing to support the dwelling size of 3,850 square feet. The board of review provided a copy of the subject's property record card with a schematic drawing depicting a dwelling size of 3,804 square feet. When comparing the two drawings, the Board finds the slight discrepancy appears to be due to rounding of measurements. The Board further finds the slight size difference does not prevent a determination of the correct assessment on this record.

three fireplaces<sup>2</sup> and a three-car garage. The property has an approximately 19,999 square foot site and is located in Wheaton, Milton Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted a 23-page appraisal prepared by James Swerdon, a Certified Residential Real Estate Appraiser, who prepared the report for *ad valorem* tax purposes and estimated the subject property had a market value of \$680,000 using the sales comparison approach to value as of January 1, 2017.

The appraiser described the subject dwelling to be in average condition with general maintenance upon inspection of the premises. Swerdon also noted the subject to be "considerably newer and larger than the typical house for the area." Although physical depreciation has occurred, he did not find any indication of functional or external depreciation.

Using the sales comparison approach, Swerdon analyzed four comparable sales which were located from .49 to .82 of a mile from the subject. The comparables have sites that range in size from 10,077 to 16,433 square feet of land area and were improved with "Traditional" or "Colonial" frame and brick dwellings that were 11 to 21 years old. Photographs in the report depict comparables #1, #2 and #3 as two-story dwellings; no photograph of comparable #4 was provided in report. Each comparable and the subject were described by the appraiser as having the same quality of construction and functional utility. The subject's condition was deemed by Swerdon to be superior to comparables #2, #3 and #4. The homes range in size from 3,447 to 4,206 square feet of living area. Each home features a full finished basement, central air conditioning, one or two fireplaces and a two-car or a three-car garage. The comparables sold from April 2014 to July 2016 for prices ranging from \$675,000 to \$735,000 or from \$162.86 to \$196.11 per square foot of living area, land included.

The appraiser applied adjustments to the comparables for differences when compared to the subject for location, lot size, condition, bathroom count, dwelling size, garage size differences, porch/patio and/or number of fireplaces. Through this process, Swerdon opined adjusted sales prices ranging from \$663,852 to \$695,840 or from \$157.83 to \$199.82 per square foot of living area, including land. As a result, the appraiser arrived at an estimated market value for the subject of \$680,000 or \$176.62 per square foot of living area, based upon the dwelling size of record of 3,850 square feet of living area, including land, as of July 8, 2016. Based on this evidence, the appellant requested a total assessment reflective of the appraised value conclusion at approximately the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$269,110. The subject's assessment reflects a market value of \$807,411 or \$209.72 per square foot of living area, land included, when using the dwelling size of 3,850 square feet and the 2017 three year average median level of assessment for DuPage County of 33.33% as determined by the Illinois Department of Revenue.

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<sup>2</sup> The appraiser reported three fireplaces, but the assessing officials reported only one fireplace is being assessed in the assessor's records.

In response to the appellant's appraisal, the board of review submitted a memorandum prepared by the Milton Township Assessor's Office noting differences between the subject and the appraisal comparable sales in exterior construction, number of bathrooms and/or garage space. The memorandum also noted appraisal sales #1 and #3 were "early 2014 sales."

In support of its contention of the correct assessment, the board of review submitted a spreadsheet prepared by the Milton Township Assessors' Office with information on five comparable sales located from .14 to .74 of a mile from the subject. The comparables have sites that range in size from 10,225 to 35,443 square feet of land area and were improved with a one-story and four, two-story dwellings of frame or frame and masonry exterior construction that were built between 1999 and 2016. The homes range in size from 3,168 to 3,800 square feet of living area. Each home features a basement, four of which have finished areas, central air conditioning, a fireplace and a two-car or a three-car garage. The comparables sold from June 2014 to November 2016 for prices ranging from \$719,950 to \$900,000 or from \$214.99 to \$236.84 per square foot of living area, land included. Based on this evidence and argument, 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. 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 appellant submitted an appraisal of the subject property and the board of review criticized some aspects of the appraisal along with the submission of five comparable sales to support their respective positions before the Property Tax Appeal Board. The Board has given little weight to board of review comparable #2 which is a one-story dwelling that differs in design from the subject two-story dwelling. The Board has given little weight to board of review comparable #3 which was new construction in 2016 and sold in October 2015 suggesting this dwelling is significantly different from the subject dwelling that was built in 2006. The Board has given reduced weight to board of review sales #4 and #5 due to their dates of sale in mid-2014 and smaller dwelling sizes when compared to the subject given the unadjusted nature of the raw sales data submitted by the board of review in response to the appraisal presented by the appellant with adjustments for differences.

The Board finds the best evidence of market value to be the appraisal submitted by the appellant along with consideration of board of review comparable sale #1. Having examined the data in the record, the Board finds that the appraised value conclusion of \$680,000 is a credible and reliable indicator of the subject's estimated market value and is somewhat supported by board of review comparable #1 that sold in March 2016 for \$900,000, although this sale price is somewhat of an outlier given the other sales data in the record. The subject's assessment reflects a market value of \$807,411 or \$209.72 per square foot of living area, including land, which is above the appraised value, not supported by the majority of the raw sales evidence in the record

and only somewhat supported by the best comparable sale #1 in the record presented by the board of review.

After giving due consideration to the best market value data in the record, the Board finds a reduction in the subject's assessment commensurate with the appellant's request<sup>3</sup> to reflect the appraised value conclusion is justified.

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<sup>3</sup> The appellant's request is rounded to the nearest \$10 increment as is the practice by the DuPage County Board of Review.

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: August 18, 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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