



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

APPELLANT: Jean Chiou
DOCKET NO.: 18-04318.001-R-1
PARCEL NO.: 06-20-201-011

The parties of record before the Property Tax Appeal Board are Jean Chiou, the appellant, by attorney Gregory Riggs of Tax Appeals Lake County in Lake Zurich; 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: \$8,270
IMPR.: \$73,400
TOTAL: \$81,670

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 2018 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 is improved with a two-story townhouse of brick construction containing 1,645 square feet of living area. The home was constructed in 2006. Features of the home include central air conditioning and a two-car attached garage.¹ The property has a 1,093 square foot site and is located in Lombard, York Township, DuPage County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on December 14, 2018 for a price of \$242,000. The appellant identified the sellers as Rachel Bubis and Eugene Lurye and further indicated the parties were not family members. The appellant also disclosed the property was sold through a Realtor, was listed in the Multiple Listing Service, and had been on the

¹ The appellant indicated the subject has a full finished basement whereas the board of review reports the subject dwelling has no basement.

market for two months. To further document the transaction the appellant submitted a copy of the closing statement reporting the purchase price of \$242,000 and the payment of a realty commission. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$82,830. The subject's assessment reflects a market value of \$248,888 or \$151.30 per square foot of living area, land included, when using the 2018 three-year average median level of assessment for DuPage County of 33.28% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on eight comparable sales improved with townhomes that were the same model as the subject dwelling, each with 1,645 square feet of living area and constructed in 2006. These properties are located in the same neighborhood as the subject property. The sales occurred from March 2017 to June 2018 for prices ranging from \$250,000 to \$280,000 or from \$151.98 to \$171.21 per square foot of living area, including land. The evidence prepared by the township assessor's office indicated the subject's sale would be considered in the sales grouping for 2019 assessments. Based on the date of sale of the subject property and the comparable sales, the board of review was of the opinion the subject's assessed market value is a reasonable one.

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 evidence in the record supports a reduction in the subject's assessment.

The Board finds the appellant provided evidence demonstrating the subject property was purchased in December 2018 for a price of \$242,000 with the sale having the elements of an arm's length transaction. Even though the sale occurred approximately one-year after the assessment date at issue, the Board finds the purchase price is to be given some weight. The Board finds the purchase price is below the market value reflected by the subject's assessment.

Notwithstanding the subject's sale, the board of review provided eight comparables that are practically identical to the subject property that sold on dates on either side of the assessment date at issue each for a price greater than the subject's purchase price. Four of the sales occurred from September 2017 to January 2018 for prices ranging from \$250,000 to \$280,000 or from \$151.98 to \$170.21 per square foot of living area, including land. The subject's assessment reflects a market value below the board of review sales that occurred most proximate in time to the assessment date.

After considering the December 2018 of the subject property and the best sales provided by the board of review, the Board finds a slight reduction in the subject's assessment is appropriate.

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 19, 2021



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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