



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

APPELLANT: Peter Kamysz  
DOCKET NO.: 18-04494.001-R-1  
PARCEL NO.: 03-15-403-017

The parties of record before the Property Tax Appeal Board are Peter Kamysz, the appellant, by attorney Brian S. Maher, of Weis, DuBrock, Doody & Maher 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:** \$36,810  
**IMPR.:** \$142,110  
**TOTAL:** \$178,920

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 consists of ranch dwelling of brick and frame exterior construction with 3,921 square feet of living area. The dwelling was constructed in 2004. Features of the property include a basement that is 90% finished, central air conditioning, one fireplace and an attached garage with 576 square feet of building area. The property has a 28,560 square foot site and is located in Wood Dale, Addison Township, DuPage County.

The appellant contends assessment inequity with respect to the improvement as the basis of the appeal. In support of this argument the appellant submitted information on three equity comparables located in the same assessment neighborhood as the subject. The comparables are improved with one, 1.5-story and two, ranch style dwellings of frame, brick, or frame and brick exterior construction that range in size from 2,265 to 3,499 square feet of living area.<sup>1</sup> The

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<sup>1</sup> The descriptions are derived from both the appellant's and the board of review's submissions.

dwellings were built from 1979 to 1994. Each home has a basement with one being 75% finished, central air conditioning, one or two fireplaces and an attached garage ranging in size from 576 to 1,290 square feet of building area. These properties have improvement assessments ranging from \$79,140 to \$119,450 or from \$26.49 to \$34.94 per square foot of living area. The appellant requested the subject's improvement assessment be reduced to \$125,589.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$178,920. The subject property has an improvement assessment of \$142,110 or \$36.24 per square foot of living area. In support of its contention of the correct assessment the board of review submitted information on three equity comparables located in the same assessment neighborhood as the subject. The comparables are improved with ranch dwellings of frame and brick exterior construction that range in size from 2,063 to 2,302 square feet of living area. The homes were built in either 1950 or 2012. Each comparable has a basement with one being 100% finished, one fireplace and an attached or detached garage ranging in size from 546 to 1,431 square feet of building area. Two comparables have central air conditioning. The comparables have improvement assessments ranging from \$79,300 to \$86,530 or from \$36.50 to \$38.44 per square foot of living area. The board of review requested the assessment be sustained.

### **Conclusion of Law**

The appellant contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). 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 neither parties' comparables are particularly similar to the subject due to the differences in style, dwelling size, age and features. Of these comparables, the Board gave less weight to the appellant's comparable #3 which is a 1.5 story design in contrast to the subject's 1-story ranch design. The Board also gave less weight to the board of review comparables #1 and #2 due to their significantly older age when compared to the subject.

The Board finds the best evidence of assessment equity to be the appellant's comparables #1 and #2 along with board of review comparable #3 as they are most similar to the subject in design and age. These properties have improvement assessments ranging from \$34.68 to \$36.50 per square foot of living area. The subject's improvement assessment of \$36.24 per square foot of living area falls within the range established by the best comparables in this record. After considering adjustments to the best comparables for differences in dwelling size, age and features, the Board finds the subject's assessment is supported.

The constitutional provision for uniformity of taxation and valuation does not require mathematical equality. The requirement is satisfied if the intent is evident to adjust the taxation burden with a reasonable degree of uniformity and if such is the effect of the statute enacted by

the General Assembly establishing the method of assessing real property in its general operation. A practical uniformity, rather than an absolute one, is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill. 2d 395 (1960). Although the comparables presented by the parties disclosed that properties located in the same area are not assessed at identical levels, all that the constitution requires is a practical uniformity which appears to exist on the basis of the evidence.

Based on this record the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and 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 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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