



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

APPELLANT: Charles Hansen
DOCKET NO.: 18-04670.001-R-2
PARCEL NO.: 07-24-300-007

The parties of record before the Property Tax Appeal Board are Charles Hansen, the appellant, by attorney Joanne Elliott, of Elliott & Associates, P.C. in Des Plaines; 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: \$84,000
IMPR.: \$224,302
TOTAL: \$308,302

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 a one-story dwelling of frame construction with 3,310 square feet of living area. The dwelling was constructed in 2017. Features of the home include a 3,282 square foot basement, that is 50% finished, central air conditioning, two fireplaces and a 3-car garage. The property has a 41,290 square foot site and is located in Naperville, Naperville Township, DuPage County.

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 \$925,000 as of January 1, 2018.

The appellant's appraisal was completed using the sales comparison approach to value property in estimating a market value for the subject property. The appellant's appraiser selected three

comparable properties that were located from .53 to .74 of a mile from the subject property. The comparables had lots ranging in size from 8,562 to 11,771 square feet of land area that were improved with two-story dwellings that ranged in size from 3,145 to 3,956 square feet of living area. The comparables were built in 2008 or 2017 and had other features with varying degrees of similarity to the subject. The comparables had sale dates ranging from May 2016 to June 2017 and sold for prices of either \$825,000 or \$836,265 or from \$211.39 to \$262.32 per square foot of living area, including land. After adjustments, the comparables had adjusted sale prices ranging from \$891,265 to \$933,500 or from \$225.29 to \$296.82 per square foot of living area, including land.

Based on this evidence the appellant requested that the subject's assessment be reduced to \$308,302.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$410,140. The subject's assessment reflects a market value of \$1,232,392 or \$372.32 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 four improved comparable sales and one vacant land sale. The comparables' proximate locations to that of the subject were not disclosed, however, the vacant land comparable was located within the same neighborhood code as the subject property. The improved comparables had lots ranging in size from 8,654 to 14,081 square feet of land area that were improved with two-story dwellings that ranged in size from 3,150 to 3,980 square feet of living area. The comparables were built between 2015 and 2018 and had other features with varying degrees of similarity to the subject. The comparables had sale dates ranging from June 2015 to May 2018 and sold for prices ranging from \$1,122,033 to \$1,375,000 or from \$309.03 to \$356.20 per square foot of living area, including land. The vacant land sale was for a 33,514 square foot lot that sold in July 2015 for \$488,500. In 2017 the lot was improved with a 1.5-story dwelling containing 4,139 square feet of living area that had a building permit issued in the amount of \$911,900.

Based on this evidence the board of review requested confirmation of the subject's assessment.

The appellant submitted rebuttal critiquing the board of review's submission.

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 Board finds the best evidence of market value to be the appraisal submitted by the appellant estimating the subject property had a market value of \$925,000 as of January 1, 2018. The subject's assessment reflects a market value of \$1,232,392 or \$372.32 per square foot of living area, including land, which is above the appraised value. The Board gave less weight to the board of review's unadjusted improved sales grid, as this evidence does not overcome the weight of the appellant's appraisal evidence. As to the board of review's vacant land sale, which was improved in 2017, the Board finds the lot was very similar to the subject in location and size. However, the improved estimated market value of \$1,400,400 relies on a building permit issued in the amount of \$911,900, added to the lot's purchase price of \$488,500. The Board finds the cost approach used to value this comparable's improvement does not overcome the market sales evidence submitted by the appellant. Based on the evidence in this record, the Board finds a reduction in the subject's assessment commensurate with the appellant's request is 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: March 16, 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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