



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

APPELLANT: Rajesh Gupta, VSPIL LLC
DOCKET NO.: 18-04934.001-R-1
PARCEL NO.: 05-23-107-001

The parties of record before the Property Tax Appeal Board are Rajesh Gupta, VSPIL LLC, the appellant, by attorney Jessica Hill-Magiera, 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 **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: \$21,110
IMPR.: \$61,870
TOTAL: \$82,980

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 split-level dwelling of frame and masonry exterior construction with 1,035 square feet of living area. The dwelling was constructed in 1960. Features of the home include a basement with finished area, central air conditioning and a garage with 528 square feet of building area. The property has a 7,397 square foot site and is located in Glen Elyn, Milton Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on three comparable sales located from .37 of a mile to 1.83 miles from the subject property. The comparables are improved with split-level dwellings ranging in size from 1,030 to 1,215 square feet of living area. The dwellings were built from 1956 to 1965. The appellant's grid analysis depicts comparables as having basements with finished area and garages ranging in size from 312 to 780 square feet of building area. Two

comparables have central air conditioning. No information was provided on the exterior construction or site sizes of the comparables. The properties sold in November 2017 or August 2018 for prices ranging from \$150,000 to \$197,000 or from \$145.63 to \$167.52 per square foot of living area, land included. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$82,980. The subject's assessment reflects a market value of \$249,339 or \$240.91 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 response to the appeal, the board of review submitted a memorandum from the Milton Township Assessor along with additional data. The assessor contends the appellant's comparable sales #1 and #2 were bank real estate owned sales, comparable sales #2 and #3 were located over 1.4 miles from the subject in unincorporated Lombard, and comparable sale #3 was not advertised for sale. The assessor provided copies of the PTAX-203 Illinois Real Estate Transfer Declarations associated with each sale and a listing sheet for comparable #1 which disclosed that the property was bank owned, on the market 114 days and sold "as is."

In support of its contention of the correct assessment, the board of review submitted property record cards and a spreadsheet on three comparable sales that were located within .66 of a mile from the subject. The evidence was prepared by the Milton Township Assessor. These properties have sites ranging in size from 7,497 to 8,997 square feet of land area. The comparables are improved with split-level dwellings of frame or frame and masonry exterior construction ranging in size from 1,032 to 1,135 square feet of living area. The dwellings were built from 1960 to 1963. The comparables have full basements with finished area, central air conditioning and garages ranging in size from 210 to 483 square feet of building area. The sales occurred from April to September 2016 for prices ranging from \$247,500 to \$276,000 or from \$239.13 to \$260.66 per square foot of living area. A map depicting the locations of both parties' comparables in relation to the subject was submitted. Based on this evidence, the board of review requested no change to the subject's assessment.

In written rebuttal, counsel for the appellant critiqued the comparables submitted by the board of review. Counsel argued that the board of review comparables sales occurred in 2016 which is too remote in time to establish market value as of January 1, 2018. In a rebuttal grid analysis, counsel reiterated that the appellant's comparables #1 and #2 were the best comparable sales in the record and contended the subject's assessment should be reduced.

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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains six suggested comparable sales for the Board's consideration. The Board gave less to appellant's comparable sales #2 and #3 due to their distant locations from the subject property. Furthermore, comparable #3 does not meet one of the fundamental elements of an arms' length transaction as it was not advertised for sale according to the PTAX-203 Transfer Declaration associated with the sale submitted by the board of review.

The Board finds the best evidence of market value to be appellant's comparable #1 and the board of review comparables. Even though the board of review comparables are slightly dated 2016 sales, they are similar to the subject in location, dwelling size, land size, age and most features. The four properties sold from April 2016 to August 2018 for prices ranging from \$197,000 to \$276,000 or from \$167.52 to \$260.66 per square foot of living area, including land. The subject's assessment reflects a market value of \$249,339 or \$240.91 per square foot of living area, land included, which falls within the range established by the best comparable sales in this record. After considering adjustments to these comparables for differences when compared to the subject, the Board finds no reduction in the subject's assessment is justified based on overvaluation.

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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