



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

APPELLANT: Peter O'Hara
DOCKET NO.: 18-05075.001-R-1
PARCEL NO.: 07-13-205-027

The parties of record before the Property Tax Appeal Board are Peter O'Hara, the appellant, by attorney Sreeram Natarajan, of Natarajan Worstell LLC 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: \$90,860
IMPR.: \$194,130
TOTAL: \$284,990

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 two-story dwelling of frame exterior construction with 3,061 square feet of living area. The dwelling was constructed in 2001. Features of the home include a basement with finished area, central air conditioning and a two-car garage with 792 square feet of building area.¹ The property has a 12,375 square foot site and is located in Naperville, Naperville 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 four equity comparables located within 3,807 feet of the subject. The comparables are described as two-story dwellings of frame exterior construction that were constructed from 1993 to 2001 and range in

¹ The parties differ as to whether the subject has central air conditioning and/or fireplaces. This discrepancy will not affect the Board's decision.

size from 2,776 to 3,157 square feet of living area. The appellant reported each comparable has a basement, three are partially finished, central air conditioning and a two-car or a three-car garage. The comparables have improvement assessments ranging from \$131,300 to \$162,840 or from \$47.30 to \$52.36 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$155,445.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$284,990. The subject property has an improvement assessment of \$194,130 or \$63.42 per square foot of living area.

In response to the appeal, the board of review submitted data on the appellant's comparables gathered by the township assessor. The assessor argued appellant's comparables are from a different assessment neighborhood and submitted a map depicting the locations of both parties' comparables in relation to the subject.

In support of its contention of the correct assessment, the board of review submitted information on six equity comparables located within the same assessment neighborhood as the subject. The comparables consist of two-story dwellings of frame, brick, or frame and brick exterior construction ranging in size from 3,065 to 3,492 square feet of living area. The dwellings were constructed from 2004 to 2016. The comparables have basements, with five having finished area. Other features include one or two fireplaces and two-car or three-car garages. The comparables have improvement assessments ranging from \$199,090 to \$220,870 or from \$62.13 to \$72.06 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 parties submitted ten equity comparables for the Board's consideration. The Board gave less weight to the appellant's comparables which are located in a different assessment neighborhood than the subject and the comparables submitted by the board of review. The Board also gave less weight to board of review comparables #3, #4 and #5 as they are newer dwellings when compared to the subject.

The Board finds the best evidence of assessment equity to be the board of review comparables #1, #2 and #6 as they are most similar to the subject in location, dwelling size, design, age and most features. The comparables have improvement assessments ranging from \$62.13 to \$72.06 per square foot of living area. The subject has an improvement assessment of \$63.42 per square foot of living area, which falls within the range established by the best comparables in the record.

After considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's improvement assessment is supported. 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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