



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

APPELLANT: Eduardo Depaz
DOCKET NO.: 18-05182.001-R-1
PARCEL NO.: 07-07-414-009

The parties of record before the Property Tax Appeal Board are Eduardo Depaz, the appellant, by attorney George N. Reveliotis, of Reveliotis Law, P.C. in Park Ridge; 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: \$38,430
IMPR.: \$134,030
TOTAL: \$172,460

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 with a stucco and cedar exterior containing 3,342 square feet of living area. The dwelling was built in 1997. Features of the home include a full basement that is partially finished, central air conditioning, one fireplace, 3½ bathrooms and a three-car integral garage. The property has an 11,152 square foot site and is located in Aurora, 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 \$442,000 as of January 1, 2017. The appraisal was prepared by Nicholas J. Mulligan, a Certified Residential Real Estate Appraiser.

The appraiser described the subject property as being in average to good condition. He found no evidence of adverse conditions on the site, in the house or in the neighborhood. The appraiser also stated that the market has continued to increase over the past few years and values are considered stable over the past twelve months.

In estimating the market value of the subject property, the appellant's appraiser developed the sales comparison approach to value using five comparable sales improved with two-story dwellings with Dryvit or brick and cedar exteriors that range in size from 3,100 to 3,700 square feet of living area. The dwellings were built from 1990 to 1998 and range in age from approximately 19 to 27 years old. Each comparable has a full basement with three having finished area, central air conditioning, one fireplace and a two-car or three-car garage. These properties have sites ranging in size from 11,143 to 14,143 square feet of land area and are located from .25 to .70 miles from the subject property. The sales occurred from December 2015 to November 2016 for prices ranging from \$400,000 to \$447,000 or from \$108.11 to \$138.71 per square foot of living area, inclusive of the land. Adjustments were made to the comparables for differences from the subject to arrive at adjusted prices ranging from \$410,750 to \$456,500. The appraiser arrived at an estimated market value of for the subject \$442,000 as of January 1, 2017. The appellant requested the subject's assessment be reduced to reflect the appraised value.

The appellant's appraisal included a map and aerial photographs depicting the location of the subject property adjacent to the Stonebridge Country Club/golf course.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$172,460. The subject's assessment reflects a market value of \$518,209 or \$155.06 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 five comparable sales improved with two-story dwellings of frame or frame and brick construction that range in size from 3,117 to 3,449 square feet of living area. The homes were built from 1995 to 1998. Each comparable has an unfinished basement, one fireplace and a two-car or a three-car garage ranging in size from 525 to 760 square feet of building area. The comparables have sites ranging in size from 10,198 to 14,154 square feet of land area. The comparables sold from August 2016 to June 2018 for prices ranging from \$475,500 to \$525,000 or from \$137.87 to \$157.20 per square foot of living area, including land. The board of review evidence includes a map depicting the location of both party's comparables in relation to the subject property.

The board of review requested the assessment be confirmed.

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.

In support of their respective positions before the Board, the appellant submitted an appraisal of the subject property and the board of review provided five comparable sales. The Board gave little weight to the value conclusion in the appellant's appraisal dated January 1, 2017 which is 12 months prior to the January 1, 2018 assessment date and thus, less likely to be probative of the subject's market value. Likewise, the comparables sold from 14 to 25 months prior to the January 1, 2018 assessment date.

The Board also gave less weight to board of review comparable #1 which sold 16 months prior to the January 1, 2018 assessment date.

The Board finds the best evidence of market value to be the comparable sales #2 through #5 provided by the board of review. These comparables sold most proximate in time to the assessment date at issue and are similar to the subject in location, dwelling size, design and most features. However, all have unfinished basements and one has a two-car garage unlike the subject which has a basement with finished area and a three-car garage. These sales sold from April 2017 to June 2018 for prices ranging from \$475,500 to \$500,000 or from \$137.87 to \$157.20 per square foot of living area, including land. The subject's assessment reflects a market value of \$518,209 or \$155.06 per square foot of living area, including land, which falls within the range on a per square foot basis as established by the best comparable sales in the record but slightly above the range on an overall basis due to the subject's finished basement area. After considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by the assessment is supported 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: 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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