



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

APPELLANT: Peter D'Agostino
DOCKET NO.: 18-05187.001-R-1
PARCEL NO.: 03-08-315-012

The parties of record before the Property Tax Appeal Board are Peter D'Agostino, 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: \$64,050
IMPR.: \$59,910
TOTAL: \$123,960

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 1.5-story Cape Cod-style dwelling of brick and frame exterior construction with 1,974 square feet of living area. The dwelling was constructed in 1927 and has a reported effective age of approximately 35 years. Features of the home include a full basement with finished area, central air conditioning, a fireplace and an attached two-car garage containing 700 square feet of building area. The property reportedly has an approximately 17,246 square foot site and is located in Itasca, Addison 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 \$305,000 as of January 1, 2018. The appraisal was prepared by Nicholas J. Mulligan, a State of Illinois Certified Residential Real Estate Appraiser. In estimating the market value of the subject

property, the appraiser developed the sales comparison approach to value with fee simple property rights.

As to the subject, the appraiser noted the home was in average condition with a finished, but unheated, breezeway. Mulligan reported the home needs updated modernization, cosmetics and exterior yard work as the landscaping was overrun with high weeds.

In the sales comparison approach, Mulligan detailed five comparable sales located from .17 to .54 of a mile from the subject property. The appraiser noted the comparables were chosen due to recency of sale to January 1, 2018, and similarity to the subject in size, appeal, design, utility and style. The parcels range in size from 7,458 to 29,196 square feet of land area and are improved with "Bungalow," "Cape Cod" or "Traditional" dwellings of brick, frame or brick and frame exterior construction that were 60 to 133 years old. The homes range in size from 1,554 to 2,222 square feet of living area. Each dwelling has a full basement, four of which are finished. Four of the homes feature central air conditioning and comparable #1 is described as having a window air conditioner. Three dwellings have one or two fireplaces and each comparable has from a one-car to a three-car garage. The comparables sold from January to December 2017 for prices ranging from \$279,000 to \$337,000 or from \$141.76 to \$194.98 per square foot of living area, including land.

After making adjustments to the comparables for differences from the subject in site size, bathroom count, gross living area, basement finish, cooling, garage size and/or other amenities, Mulligan estimated the comparables had adjusted prices ranging from \$296,250 to \$322,750, including land. Based on this data, the appraiser estimated the subject had an estimated value of \$305,000 or \$154.51 per square foot of living area, including land.

Based on this evidence, the appellant requested a total reduced assessment of \$101,657 which would reflect a market value of \$305,002, including land, when applying the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$123,960. The subject's assessment reflects a market value of \$372,476 or \$188.69 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.

Besides reiterating the appraisal sale comparables, the board of review asserted appraisal sales #2 and #4 were "quite a bit out of the neighborhood." In reiterating the comparables in the appraisal and their own comparables, the assessing officials did not depict central air conditioning as a feature of any of the homes, but for the subject and board of review comparable #1.

In support of its contention of the correct assessment, the board of review submitted information on five comparable sales, where board of review comparable #2 is the same property as appraisal sale #5. The parcels range in size from approximately 7,480 to 14,400 square feet of land area and are improved with 1.5-story dwellings of brick, frame or brick and frame exterior construction that were built from 1927 to 1953. The homes range in size from 1,354 to 2,631 square feet of living area. Each dwelling has a basement, three of which have finished area.

Board of review comparable #1 has central air conditioning and comparables #1 and #5 each have one or two fireplaces, respectively. Each property has a garage ranging in size from 360 to 624 square feet of building area. The comparables sold from February 2017 to August 2018 for prices ranging from \$275,000 to \$500,000 or from \$190.04 to \$206.64 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 appellant submitted an appraisal of the subject property and the board of review submitted five comparable sales, one of which is contained in the appellant's appraisal report, in support of their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to the value conclusion contained within the appellant's appraisal report as two of the five comparables considered were larger than the subject when the record reveals that there were other comparables closer in proximity, design and size were available for consideration in the report. Given the concerns related to the properties chosen by Mulligan for the sales comparison approach analysis, the Board finds the appraiser's value conclusion is not a credible or reliable indicator of the subject's estimated market value as of the assessment date. However, the most similar raw sales presented in the appraisal will be analyzed along with the best raw sales presented by the board of review.

The record contains a total of nine comparable sales, with one common property. The Board has given reduced weight to appraisal sales #1, #2 and #3 due to their differing design and differing dwelling size when compared to the subject. The Board has also given reduced weight to board of review sales #1 and #4 due to differences in dwelling size when compared to the subject.

The Board finds the best evidence of market value in the record to be appraisal sales #4 and #5/board of review comparable #2 along with board of review comparables #3 and #5. These four comparables sold from August 2017 to August 2018 for prices ranging from \$279,000 to \$355,000 or from \$162.02 to \$206.64 per square foot of living area, including land. The subject's assessment reflects a market value of \$372,476 or \$188.69 per square foot of living area, including land, which is above the range established by the best comparable sales in the record in terms of overall value and within the range on a per-square-foot basis which appears to be logical since the subject dwelling is larger than each of the best four comparable sales being analyzed in the record and thus it would be expected that the subject would have a higher overall value. Moreover, based on the data supplied by the assessing officials, the subject property is the only dwelling with central air conditioning among the best comparable sales in the record which would further support that the subject would have a higher overall value than these comparables. Based on this evidence and after considering appropriate adjustments to the best comparables

when compared to the subject for known differences including age and size, the Property Tax Appeal Board finds 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:

April 19, 2022



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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Peter D'Agostino, by attorney:
George N. Reveliotis
Reveliotis Law, P.C.
1030 Higgins Road
Suite 101
Park Ridge, IL 60068

COUNTY

DuPage County Board of Review
DuPage Center
421 N. County Farm Road
Wheaton, IL 60187