



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

APPELLANT: Sanjay Shah
DOCKET NO.: 19-06031.001-R-3
PARCEL NO.: 06-25-403-006

The parties of record before the Property Tax Appeal Board are Sanjay Shah, the appellant, by attorney Ellen G. Berkshire, of Verros Berkshire, PC 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: \$50,600
IMPR.: \$698,260
TOTAL: \$748,860

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 2019 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 brick, masonry, or stone exterior construction with 7,301 square feet of living area. The dwelling was constructed in 2014 and is approximately 5 years old. Features of the home include a basement with finished area, central air conditioning, four fireplaces, and a 4-car garage. The property has a 22,442 square foot site and is located in Oak Brook, York Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales. The comparables are located either 0.2 of a mile or 1.7 miles from the subject property and one comparable is located within the same assessment neighborhood code as the subject property.¹ The parcels range in size from

¹ The board of review reported that the appellant's comparable #1 is located in the same neighborhood as the subject.

42,121 to 42,441 square feet of land area and are improved with two-story homes of frame and brick or stone or brick, masonry, or stone exterior construction. The appellant reported that the homes range in size from 5,346 to 7,577 square feet of living area. The dwellings are 31 or 51 years old. Each home has a basement, two of which have finished area, central air conditioning, two to six fireplaces, and a 3-car garage. The comparables sold from March to November 2019 for prices ranging from \$720,000 to \$875,000 or from \$115.48 to \$134.68 per square foot of living area, including land. Based on this evidence the appellant requested a reduction in the subject's assessment to \$305,227 which would reflect a market value of \$915,773 or \$125.43 per square foot of living area, including land, at 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 \$748,860. The subject's assessment reflects a market value of \$2,276,862 or \$311.86 per square foot of living area, land included, when using the 2019 three year average median level of assessment for Lake County of 32.89% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review, through the township assessor, submitted information on three comparable sales. One comparable is located within the same assessment neighborhood code as the subject property. The parcels range in size from 23,913 to 47,853 square feet of land area and are improved with two-story homes of brick, masonry, or stone exterior construction ranging in size from 5,708 to 8,554 square feet of living area. The dwellings were built from 2001 to 2018. Each home has a basement and a 3-car or a 4-car garage.² The comparables sold from May 2018 to March 2019 for prices ranging from \$1,979,411 to \$3,150,000 or from \$299.28 to \$416.01 per square foot of living area, including land.

The board of review also submitted a brief prepared by the township assessor contending that the appellant's comparables differ from the subject in age and/or dwelling size and two comparables sold after the January 1, 2019 assessment date.

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 record contains a total of six comparable sales for the Board's consideration. The Board gives less weight to the appellant's comparables and to the board of review's comparable #1, due to significant differences from the subject in age and/or dwelling size.

² The board of review did not report whether its comparables have finished basement area, central air conditioning, or fireplaces.

The Board finds the best evidence of market value to be the board of review's comparables #2 and #3, which are relatively similar to the subject in dwelling size, and age, although these comparables have much larger lots than the subject, suggesting downward adjustments are necessary to make these comparables more similar to the subject. These most similar comparables sold in June 2018 and March 2019 for prices of \$3,150,000 and \$2,560,000 or \$416.01 and \$299.28 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$2,276,862 or \$311.86 per square foot of living area, including land, which is below the range established by the best comparable sales in terms of total market value and bracketed by the best comparables on a price per square foot basis. Based on this evidence and after considering appropriate adjustments to the best comparables for differences when compared to the subject, the 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: July 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

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