



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

APPELLANT: Richard Wilburn
DOCKET NO.: 19-08006.001-R-1
PARCEL NO.: 05-23-323-026

The parties of record before the Property Tax Appeal Board are Richard Wilburn, the appellant; 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: \$8,220
IMPR.: \$37,870
TOTAL: \$46,090

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 one-story condominium unit of masonry exterior construction with 932 square feet of living area. The dwelling was constructed in 1990 and includes two full bathrooms. The property is located in Glen Ellyn, 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 in the same building as the subject property. The comparables are improved with one-story condominium units of masonry exterior construction that range in size from 916 to 1,253 square feet of living area, were built in 1990 and include two full bathrooms. The properties sold from January 2016 to October 2018 for prices ranging from \$123,000 to \$169,000 or from \$122.51 to \$140.83 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$41,238 which reflects a market value of \$123,726 or \$132.75 per

square foot of living area, land included, 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 \$46,090. The subject's assessment reflects a market value of \$139,709 or \$149.90 per square foot of living area, land included, when using the 2019 three-year average median level of assessment for DuPage County of 32.99% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales located in the same assessment neighborhood code as the subject property. The comparables are improved with one-story condominium units of masonry exterior construction that range in size from 938 to 989 square feet of living area. The homes were built in 1990 and include two full bathrooms. The properties sold from November 2017 to November 2018 for prices ranging from \$148,000 to \$172,000 or from \$149.65 to \$174.97 per square foot of living area, land included.

The board of review also submitted written comments, a map of the subject and proximity to both parties' comparables, property record cards for the subject and both parties' comparables and PTAX-203-Illinois Real Estate Transfer Declarations associated with the subject and the appellant's comparable #1. The board of review critiqued the appellant's comparable #1 as being 321 square feet larger than the subject dwelling. The board of review asserted that the appellant's comparable #2 was sold by the appellant in April 2019 for a price of \$168,000. In support of this claim, it submitted the PTAX-203 forms for this property's 2016 and 2019 sales. Based on this evidence, the board of review requested the subject's 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.

The parties submitted six comparable sales for the Board's consideration. The Board gives less weight to the appellant's comparable #1 which is substantially larger in dwelling size when compared to the subject property and other comparables in the record. The Board also gives less weight to the appellant's comparables #2 and #3 along with board of review comparable #1 which sold in either 2016 or 2017, less proximate in time to the January 1, 2019 assessment date than other comparables in the record. Furthermore, based on the PTAX-203 evidence submitted by the board of review, this property was sold in April 2019 by the appellant, which the appellant failed to disclose.

The Board finds the best evidence of market value to be the April 2019 sale of the appellant's comparable #2 and board of review comparables #2 and #3 which sold more proximate to the January 1, 2019 assessment date and are more like the subject in location, age, dwelling size and

other features. These comparables sold from May 2018 to April 2019 for prices ranging from \$150,000 to \$172,000 or from \$159.91 to \$174.97 per square foot of living area, including land. The subject's assessment reflects a market value of \$139,709 or \$149.90 per square foot of living area, including land, which falls below the range established by the best comparable sales in this record. After considering appropriate adjustments to the comparables for differences from 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:

May 17, 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

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