



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

APPELLANT: Crystal Porter
DOCKET NO.: 19-08326.001-R-1
PARCEL NO.: 08-26-415-002

The parties of record before the Property Tax Appeal Board are Crystal Porter, 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 **A Reduction** 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: \$42,380
IMPR.: \$25,250
TOTAL: \$67,630

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 dwelling of frame exterior construction with 1,025 square feet of living area.¹ The dwelling was constructed in 1950 and is approximately 61 years old. Features of the home include a full basement, central air conditioning, and a 396 square foot garage. The property has an approximately 12,494 square foot site and is located in Woodridge, Lisle Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. The appellant submitted an appraisal and information on nine comparable sales, including listing sheets for these comparables.

¹ The Board notes that the appellant's appraisal describes the subject property as having 1,079 square feet of living area, whereas both the appellant's Section V grid and property record card presented by the board of review describe the subject as having 1,025 square feet of living area. The Board finds the subject dwelling has 1,025 square feet of living area given that the appellant also presented this dwelling size in the appellant's Section V grid.

The appraisal was prepared by James Swerdon, a certified residential real estate appraiser, for the purpose of a mortgage refinance transaction. Under the sales comparison approach, the appraiser analyzed the sales of three comparables located from 0.03 to 0.20 of a mile from the subject property. The parcels range in size from 12,623 to 14,560 square feet of land area and are improved with one-story homes of frame exterior construction ranging in size from 1,025 to 1,337 square feet of living area. The dwellings are 60 years old and are reported to be in a "C4" condition. Each home has a full or partial basement, two of which have finished area, and a 2-car garage. Two comparables have central air conditioning. The comparables sold from November 2018 to May 2019 for prices ranging from \$182,500 to \$195,000 or from \$136.50 to \$181.73 per square foot of living area, including land.

The appraiser indicated that appraisal sales #1 and #3 were "REO" sales, or sales by a lender, and appraisal sale #2 was a short sale. With regard to appraisal sale #1, the appraiser stated that this property was previously transferred in February 2019 by Sheriff's Deed, which is approximately 3 months before the May 2019 sale reported in the appraisal. This property is reported to have been on the market for only 21 days. With regard to appraisal sale #3, the appraiser stated that this property was previously transferred in September 2017 by Sheriff's Deed, which is approximately 15 months before the December 2018 sale reported in the appraisal. This property was reported to have been on the market for 106 days.

The appraiser adjusted each of the comparables for pertinent factors based on their differences in features from the subject and determined adjusted sale prices ranging from \$176,050 to \$188,000. Based on these adjusted sale prices, the appraiser estimated an opinion of market value for the subject of \$178,000 as of July 25, 2019.

The appellant also submitted nine comparable sales in a two page Section V grid. The comparables are located from 0.01 to 0.50 of a mile from the subject property and within the same assessment neighborhood code as the subject property. Comparables #1, #2, and #3 are the same properties as appraisal sales #1, #3, and #2, respectively. The parcels range in size from 7,906 to 14,560 square feet of land area and are improved with one-story homes of frame exterior construction ranging in size from 1,025 to 1,140 square feet of living area. The dwellings range in age from 57 to 61 years old. Eight homes each have a full or partial basement, four of which have finished area, and one home does not have a basement. Each home has central air conditioning. Eight comparables each have a garage ranging in size from 352 to 576 square feet of building area and comparable #4 has "4 spaces." The comparables sold from July 2017 to December 2019 for prices ranging from \$163,000 to \$200,000 or from \$136.50 to \$195.12 per square foot of living area, including land.

Based on this evidence the appellant requested a reduction in the subject's assessment to \$67,633 which would reflect a market value of \$202,919 or \$197.97 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 \$73,240. The subject's assessment reflects a market value of \$222,007 or \$216.59 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 five comparable sales. The comparables are located from 0.19 to 0.57 of a mile from the subject property and within the same assessment neighborhood code as the subject property. The parcels range in size from 7,825 to 17,776 square feet of land area and are improved with one-story homes of frame exterior construction with 1,073 square feet of living area. The dwellings were built from 1959 to 1961. The board of review did not provide any information regarding the condition of these comparables. Each home has a basement, four of which have finished area, and a garage ranging in size from 294 to 576 square feet of building area. One home has central air conditioning. The comparables sold from September 2018 to May 2019 for prices ranging from \$239,000 to \$275,000 or from \$222.74 to \$256.29 per square foot of living area, including land.

The board of review submitted a grid analysis of the appellant's comparables #1 through #4, together with (i) a map depicting the locations of these four comparables and the board of review's comparables in relation to the subject and (ii) Real Estate Transfer Tax Declarations for the appellant's comparables #1 and #2, showing a lender was the seller of these properties.

The board of review also submitted a brief arguing that the appellant's appraisal is dated seven months from 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant submitted an appraisal and nine comparable sales, which includes three common sales which were presented within the appraisal, and the board of review submitted five comparable sales to support their respective positions before the Board.

The Board gives less weight to the appraisal submitted by the appellant. The appraiser relied on only three comparables, which were described as "REO" or short sales, and made no adjustments for these transaction types. Moreover, the appraiser made an adjustment of -\$7,000 for view to appraisal sale #1, an adjustment of -\$8,000 for basement finish to appraisal sale #2, and gross adjustments for dwelling size, basement finish, lack of central air conditioning, and lack of patio/deck of \$16,450 (or net adjustments of \$6,450) for appraisal sale #3. However, despite appraisal sale #1 having the lowest amount of adjustments, indicating it is the most similar to the subject, the appraiser determined that appraisal sale #2 was the most similar to the subject and

the value conclusion contained in the appraisal reflects the adjusted sale price of appraisal sale #2 of \$178,000 rather than the adjusted sale price of appraisal sale #1 of \$188,000.

Therefore, the Board finds the appraiser's value conclusion is not well-supported, and the Board will instead examine the raw sales data presented in the appraisal along with the appellant's comparables and the board of review's comparables.

The record contains a total of fourteen comparable sales for the Board's consideration. The Board gives less weight to the appellant's comparables #3, #5, #6, #8 and #9 and the board of review's comparables, due to substantial differences from the subject in lot size, foundation type, and/or basement finish. The Board gives less weight to the appellant's comparable #7, which sold less proximate in time to the January 1, 2019 assessment date.

The Board finds the best evidence of market value to be the appellant's comparables #1, #2, and #4, which are similar to the subject in dwelling size, lot size, age, location, and most features, although these comparables all have larger garages than the subject. These most similar comparables sold from July 2018 to May 2019 for prices ranging from \$182,500 to \$200,000 or from \$136.50 to \$195.12 per square foot of living area, including land. The subject's assessment reflects a market value of \$222,007 or \$216.59 per square foot of living area, including land, which is above the range established by the best comparable sales in this record. 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 commensurate with the appellant's request is 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: June 21, 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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