



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

APPELLANT: Anthony Varriale
DOCKET NO.: 19-08335.001-R-1
PARCEL NO.: 01-21-105-008

The parties of record before the Property Tax Appeal Board are Anthony Varriale, 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: \$34,080
IMPR.: \$126,130
TOTAL: \$160,210

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 2-story dwelling of brick and cedar siding exterior construction with approximately 4,271 square feet of living area.¹ The dwelling was constructed in 1997 and is approximately 22 years old. Features of the home include a basement with finished area, central air conditioning, a fireplace, and a 3-car garage. The property has an approximately 40,065 square foot site and is located in Wayne, Wayne 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 \$390,000 as of December 31, 2019. The appraisal was prepared by Michael A. Kozenko, a certified residential real estate appraiser, for the purpose of a mortgage finance transaction.

¹ The parties differ slightly regarding the subject's dwelling size. The Board finds the best evidence of the subject's dwelling size is found in the subject's property record card presented by the board of review.

Under the sales comparison approach, the appraiser analyzed four comparables sales located from 0.06 of a mile to 2.28 miles from the subject property. The parcels range in size from 10,260 to 43,611 square feet of land area² and are improved with 2-story homes ranging in size from 3,602 to 4,579 square feet of living area. The dwellings range in age from 14 to 39 years old.³ Each home has a basement, three of which have finished area, central air conditioning, and a 2-car or 3-car garage. Three homes each have one or three fireplaces. The comparables sold from January 2019 to September 2019 for prices ranging from \$360,000 to \$557,000 or from \$94.46 to \$121.64 per square foot of living area, including land. The appraiser made adjustments to the comparables for differences from the subject, such as lot size, view, age, condition, dwelling size, basement finished area, energy efficient items, and fireplaces, and for sale or financing concessions, and determined adjusted sale prices ranging from \$389,500 to \$431,500. Based on this analysis, the appraiser opined the subject had a market value of \$390,000 as of December 31, 2019 under the sales comparison approach.

Under the cost approach, the appraiser opined a market value for the subject's land of \$90,000 based on an analysis of vacant land sales in the subject's neighborhood in addition to using the extraction method. The appraiser disclosed that a vacant lot located at 4N727 White Oak Ln., Wayne, sold for \$90,000 in March 2019. The appraiser calculated a replacement cost new for the subject of \$404,942, depreciation of \$116,983, and the value of other site improvements of \$12,500. Based on the foregoing, the appraiser opined the subject had a value of \$390,500 as of December 31, 2019 under the cost approach.

In reconciling these two approaches to value, the appraiser stated that little weight was placed on the cost approach given the subject's older home and condition of the improvements and few comparable sales of vacant land, which rendered the cost approach less reliable. Based on the sales comparison approach, the appraiser opined the subject had a market value of \$390,000 as of December 31, 2019.

Based on this evidence the appellant requested a reduction in the subject's assessment to reflect the appraised value conclusion.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$160,210. The subject's assessment reflects a market value of \$485,632 or \$113.70 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 six comparable sales, together with notes from the township assessor, a grid analysis of the appraisal comparables, property record cards for both parties' comparables, and Real Estate Transfer Declarations for the parties' comparables.

² The parties differ regarding the lot sizes of the appraisal comparables. The Board finds the best evidence of these comparables' lot sizes is found in their property record cards presented by the board of review.

³ The parties differ regarding the year built of comparable #4. The Board finds the best evidence of this home's age is found in its property record card presented by the board of review.

The six comparable sales are located from 0.14 to 0.46 of a mile from the subject property and five comparables are located within the same assessment neighborhood code as the subject property. The parcels range in size from 40,143 to 100,011 square feet of land area and are improved with 1.5-story or 2-story homes of brick, dryvit, frame, stucco exterior construction ranging in size from 3,859 to 4,626 square feet of living area. The dwellings were built from 1992 to 2001. Each home has basement with finished area, two of which are walkout basements, central air conditioning, one or two fireplaces, and a 2-car or 3-car garage. The comparables sold from March 2018 to May 2019 for prices ranging from \$503,000 to \$595,000 or from \$119.93 to \$135.62 per square foot of living area, including land.

In the notes from the township assessor, the township assessor argued that the appellant's appraiser was dated approximately one year from the assessment date and that three of the four comparables sold months after the assessment date. The township assessor asserted that three comparables are located more than two miles from the subject and in different neighborhoods than the subject. The township assessor further asserted that the board of review's comparables are located within 0.50 of a mile from the subject; however, three of the board of review's comparables needed remodeling at the time of sale and one comparable was on the market for a long period of time due to its "very contemporary décor."

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 and the board of review submitted six comparable sales in support of their respective positions before the Board. The Board gives less weight to the value conclusion contained in the appellant's appraisal, which relied on three comparable sales located more than one mile from the subject property. Therefore, the Board will consider the raw sales data presented in the appraisal and by the board of review.

The record contains a total of ten comparable sales for the Board's consideration. The Board gives less weight to appraisal comparables #1, #2, and #4, which are located more than one mile from the subject property. The Board gives less weight to the board of review's comparable #3, which has a much larger lot than the subject.

The Board finds the best evidence of market value to be the appraisal comparable #3 and the board of review's comparables #1, #2, #4, #5, and #6, which are similar to the subject in lot size, dwelling size, age, location, and some features. These most similar comparables sold from March 2018 to May 2019 for prices ranging from \$437,500 to \$595,000 or from \$119.93 to \$135.62 per square foot of living area, including land. The subject's assessment reflects a market

value of \$485,632 or \$113.70 per square foot of living area, including land, which is within the range established by the best comparable sales in the record. Based on this evidence and after considering appropriate adjustments to the best 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: 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

AGENCY

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

APPELLANT

Anthony Varriale
30W336 Forsythia Ln
Wayne, IL 60184

COUNTY

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