



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

APPELLANT: Chen Xu
DOCKET NO.: 19-08415.001-R-1
PARCEL NO.: 08-16-301-034

The parties of record before the Property Tax Appeal Board are Chen Xu, the appellant, by Greg Earl, Attorney at Law in Geneva; 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: \$55,620
IMPR.: \$65,453
TOTAL: \$121,073

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 split-level dwelling of brick and wood siding exterior construction with 2,496 square feet of living area.¹ The dwelling was constructed in 1979. Features of the home include a basement containing 540 square feet of finished area, central air conditioning, a fireplace, and a garage containing 498 square feet of building area. The property has an 11,529 square foot site and is located in Lisle, Naperville 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 \$367,000 as of January 1, 2019. The appraisal was prepared by James Swerdon, a Certified Residential Real Estate Appraiser. The purpose of the appraisal was to determine the market value of the subject property for ad valorem tax purposes.

¹ The Board finds the best description of the subject's features was the appellant's appraisal.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value by using three comparable sales located within .75 of a mile from the subject. The comparables are improved with split-level dwellings that range in size from 2,006 to 2,579 square feet of living area. The dwellings are 40 or 41 years old. Each comparable has central air conditioning, a fireplace, and a garage ranging in size from 476 to 498. Each dwelling has a basement with finished area. The sales occurred from August 2018 to November 2018 for prices ranging from \$355,000 to \$400,000 or from \$155.10 to \$176.97 per square foot of living area, including land. Adjustments were applied for differences between the comparables and the subject property for view, condition, bedroom count, dwelling size, and location to arrive at adjusted prices ranging from \$360,745 to \$375,000 or from \$145.41 to \$183.03 per square foot of living area, including land. Based on this data, the appraiser arrived at a market value of \$367,000 or \$142.30 per square foot of living area, including land, as of January 1, 2019. The appellant requested the subject's assessment be reduced to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$142,320. The subject's assessment reflects a market value of \$431,403 or \$172.84 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 four comparable sales located within the same neighborhood code as the subject property. The comparables are improved with split-level and two-story dwellings of wood siding exterior construction ranging in size from 2,261 to 2,755 square feet of living area. The dwellings were constructed from 1977 to 1979. Each dwelling has a fireplace and a garage ranging in size from 460 to 484 square feet of building area. Each comparable has a basement with three of the comparables having from 760 to 1,080 square feet of finished area. Three of the comparables have central air conditioning. The comparables sold from July 2017 to September 2018 for prices ranging from \$425,000 to \$519,000 or from \$170.65 to \$188.38 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted an appraisal and four comparable sales for the Board's consideration. The Board finds the best evidence of market value to be the appraisal submitted by the appellant estimating the subject property had a market value of \$367,000 or \$147.04 per square foot of living area, including land, as of January 1, 2019. The appraisal was completed using similar comparable properties, when compared to the subject, and contained appropriate adjustments to

the comparable properties, which further advances the credibility of the report. The subject's assessment reflects a market value above the appraised value. The board of review's unadjusted comparable sales, one of which was a dated sale, do not overcome the weight given to the appellant's appraisal. Based on the evidence in this record, the Board finds a reduction in the subject's assessment commensurate with the appellant's request is justified. Since market value has been established, the 2019 three year average median level of assessment for DuPage County of 32.99% as determined by the Illinois Department of Revenue shall apply.

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

AGENCY

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