



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

APPELLANT: Eric Schaumburg
DOCKET NO.: 19-08967.001-R-1
PARCEL NO.: 03-15-401-026

The parties of record before the Property Tax Appeal Board are Eric Schaumburg, the appellant, by attorney Jessica Hill-Magiera in Lake Zurich, 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: \$62,910
IMPR.: \$115,090
TOTAL: \$178,000

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 is improved with a two-story dwelling of brick and frame construction containing 4,113 square feet of living area. The dwelling was built in 1992. Features of the home include an unfinished basement, central air conditioning, two fireplaces, four bathrooms and a built-in garage with 939 square feet of building area. The property has a site with approximately 19,890 square feet of land area and is located in Wood Dale, Addison Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on five comparable sales improved with two-story dwellings of brick or brick and frame construction ranging in size from 3,721 to 3,936 square feet of living area.¹ The comparables were built from 1989 to 2007. Each comparable has a basement with one having finished area, central air conditioning, one fireplace, 2½ to 4 bathrooms, and an

¹ Some of the descriptive data for the appellant's comparables was derived from the board of review submission.

attached or built-in garage ranging in size from 576 to 876 square feet of building area. These properties have sites ranging in size from approximately 9,680 to 15,840 square feet of land area and are located from approximately .28 to .82 of one mile from the subject property. The sales occurred from February 2018 to April 2019 for prices ranging from \$305,000 to \$520,000 or from \$77.91 to \$135.24 per square foot of living area, land included. Based on this evidence the appellant requested the subject's total assessment be reduced to \$160,996.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$217,680. The subject's assessment reflects a market value of \$659,836 or \$160.43 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 seven comparable sales improved with two-story dwellings of brick, frame, or frame and brick construction ranging in size from 2,299 to 4,092 square feet of living area. The homes were constructed from 1989 to 2017. Each comparable has a basement with one having finished area, central air conditioning, one fireplace, 2½ or 3½ bathrooms, and an attached or built-in garage ranging in size from 451 to 884 square feet of building area. These properties have sites ranging in size from approximately 8,150 to 15,350 square feet of land area. The comparables sold from July 2016 to January 2019 for prices ranging from \$390,000 to \$655,000 or from \$154.23 to \$180.79 per square foot of living area, land included. The board of review submission also included a map depicting the location of the comparables submitted by the parties in relation to the subject property. The board of review requested the assessment be confirmed.

In rebuttal appellant's counsel argued the board of review sales were not comparable to the subject due to size, age, and/or date of sale being too remote in time from the assessment date at issue.

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 information on twelve comparable sales to support their respective positions. The Board gives less weight to appellant's comparable sale #1 as the price is an outlier with reference to the remaining comparables submitted by the parties. The Board gives less weight to appellant's comparable sale #4 due to the dwelling's newer age relative to the subject dwelling. The Board gives less weight to the comparables submitted by the board of review as comparables #1, #3, #5 and #7 sold in 2016 or 2017, not as proximate in time to the assessment date as the remaining sales; comparables #3, #4, #5 and #7 are significantly newer than the subject dwelling; and comparables #1, #2, #4, #5, #6 and #7 are improved with

dwellings significantly smaller than the subject dwelling. The Board finds the best evidence of market value to be appellant's comparable sales #2, #3 and #5. These comparables are improved with dwellings ranging in size from 3,845 to 3,936 square feet of living area and were built in 1993 or 1995. The comparables have similar features as the subject with the exception comparable #3 has finished basement area whereas the subject has an unfinished basement. Additionally, each of these properties has a smaller site than the subject property. These three comparables sold from February 2018 to April 2019 for prices ranging from \$440,000 to \$520,000 or from \$113.61 to \$135.24 per square foot of living area, land included. The subject's assessment reflects a market value of \$659,836 or \$160.43 per square foot of living area, including land, which is above the range established by the best comparable sales in this record. The Board finds the subject's overall greater market value is due in part to the property's larger dwelling size in relation to these three comparables. Nevertheless, based on this evidence the Board finds a reduction in the subject's assessment 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

AGENCY

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