



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

APPELLANT: Falak H. Steinbach
DOCKET NO.: 19-08983.001-R-1
PARCEL NO.: 01-25-103-007

The parties of record before the Property Tax Appeal Board are Falak H. Steinbach, the appellant, by Jessica Hill-Magiera, Attorney at Law 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 **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: \$26,490
IMPR.: \$81,520
TOTAL: \$108,010

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 aluminum exterior construction with 2,148 square feet of living area. The dwelling was constructed in 1979. Features of the home include a basement, central air conditioning, a fireplace and a 441 square foot garage. The property has an approximately 12,538 square foot site and is located in Carol Stream, Wayne 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 within 0.86 of a mile from the subject property. The comparables have sites that range in size from 20,131 to 22,831 square feet of land area¹ and are improved with ranch style dwellings that range in size from 1,988 to 2,250 square feet of living area. The dwellings were built from 1972 to 1978. Each comparable

¹ Site size the appellant's comparables was reported by the board of review.

has a basement, central air conditioning, one or two fireplaces and a garage ranging in size from 441 to 686 square feet of building area. The properties sold from July 2018 to June 2019 for prices ranging from \$279,000 to \$300,000 or from \$124.00 to \$142.86 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$101,454 which reflects a market value of \$304,392 or \$141.71 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 \$108,010. The subject's assessment reflects a market value of \$327,402 or \$152.42 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 located within 0.71 of a mile from the subject property. The comparables have sites that range in size from 8,999 to 16,656 square feet of land area and are improved with one-story ranch style dwellings of brick, frame, or aluminum exterior construction that range in size from 1,404 to 2,484 square feet of living area. The homes were built in either 1980 or 1988. Each comparable has a basement and a garage ranging in size from 399 to 576 square feet of building area. Four comparables have central air conditioning and one fireplace. The properties sold from April 2017 to August 2018 for prices ranging from \$277,500 to \$419,000 or from \$154.85 to \$231.48 per square foot of living area, land included.

The board of review, through Wayne Township, submitted comments critiquing the appellant's comparables arguing none are located in Carol Stream, and all are located in an older, unincorporated neighborhood which lack city water and sewer services unlike the subject property. In contrast, the board of review asserted its comparable sales were all located in Carol Stream and within one mile of the subject property. Based on this evidence, the board of review requested the subject's assessment be confirmed.

In rebuttal, the appellant's attorney critiqued the board of review's comparables, arguing the properties are dissimilar in dwelling size when compared to the subject and/or sold in 2017, less proximate in time to the January 1, 2019 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted eight comparable sales for the Board's consideration. The Board gives less weight to the board of review comparables #1, #2 and #4 which sold in 2017, less proximate in time to the January 1, 2019 assessment date at issue than other comparable properties in the

record. Furthermore, the Board gives less weight to board of review comparables #3, #4 and #5 which are substantially smaller in dwelling size relative to the subject.

The Board finds the best evidence of market value to be the appellant's comparables which are more similar to the subject in age, dwelling size, design, and other features, however, based on evidence submitted by the board of review, these properties lack access to city water and sewer services which the subject property benefits from, suggesting an upward adjustment is needed to make these properties more equivalent to the subject. These comparables sold from July 2018 to June 2019 for prices ranging from \$279,000 to \$300,000 or from \$124.00 to \$142.86 per square foot of living area, including land. The subject's assessment reflects a market value of \$327,402 or \$152.42 per square foot of living area, including land, which falls somewhat above the range established by the best comparable sales in this record which appears justified given the subject's superior city water and sewer services which was not refuted by the appellant in the rebuttal filing. Thus, after considering appropriate adjustments to the comparables for differences from the subject, the Board finds a preponderance of the evidence does not support a reduction in the subject's assessment.

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:

August 23, 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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