



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

APPELLANT: Kathy Labedessa
DOCKET NO.: 19-08995.001-R-1
PARCEL NO.: 06-22-200-055

The parties of record before the Property Tax Appeal Board are Kathy Labedessa, the appellant, by attorney Brian S. Maher, of Weis, DuBrock, Doody & Maher in Chicago; 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: \$14,670
IMPR.: \$132,100
TOTAL: \$146,770

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 townhouse model C dwelling of brick, masonry and stone exterior construction with 1,640 square feet of living area. The dwelling was constructed in 2017. Features of the home include an unfinished basement, central air conditioning, and a two-car garage. The property has a 4,792 square foot site and is located in Oakbrook Terrace, York Township, DuPage County.

The appellant contends assessment inequity with respect to the improvement as the basis of the appeal. In support of this argument the appellant submitted information on three suggested equity comparables located in the same neighborhood code as the subject property. The comparables were improved with townhouse model C and model H dwellings of brick, masonry and stone exterior construction that range in size from 1,700 to 2,181 square feet of living area. The dwellings were built from 2013 to 2016. Each comparable has an unfinished basement,

central air conditioning and a two-car garage.¹ The comparables have improvement assessments that are either \$132,100 or \$147,010 or from \$67.40 to \$77.70 per square foot of living area. Based on this evidence, the appellant requested that the improvement assessment be reduced to \$127,132 or \$77.52 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$146,770. The subject property has an improvement assessment of \$132,100 or \$80.55 per square foot of living area. In support of its contention of the correct assessment the board of review submitted information on six equity comparables located in the same neighborhood code as the subject. The comparables were improved with townhouse model C dwellings of brick, masonry, and stone exterior construction each containing 1,640 square feet of living area. The dwellings were built in 2014. Each comparable has a basement and a two-car garage. The grid analysis did not disclose central air conditioning, fireplaces or finished basements. The comparables each have an improvement assessment of \$132,100 or \$80.55 per square foot of living area. Based on this evidence, the board of review requests confirmation of the subject's assessment

Conclusion of Law

The taxpayer contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). 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 nine suggested equity comparables for the Board's consideration. The Board gave less weight to the appellant's comparables based on a different model type and/or dwelling size when compared to the subject.

The Board finds the best evidence of assessment equity to be the board of review comparables. These comparables are similar in location and identical to the subject in model type, dwelling size, age and features. These comparables each had an improvement assessment of \$132,100 or \$80.55 per square foot of living area. The subject's improvement assessment of \$132,100 or \$80.55 per square foot of living area is identical to the best comparables in this record. Based on this record the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is not justified.

¹ Some of the descriptive information for the appellant's comparables was derived from the grid analysis submitted by the board of review.

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:

February 15, 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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