



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

APPELLANT: James L. Halas
DOCKET NO.: 19-09000.001-R-1
PARCEL NO.: 01-28-106-017

The parties of record before the Property Tax Appeal Board are James L. Halas, 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: \$27,680
IMPR.: \$44,950
TOTAL: \$72,630

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 brick exterior construction with 1,108 square feet of living area. The dwelling was constructed in 1962. Features of the home include a full unfinished basement, central air conditioning, and a two-car garage with 440 square feet of building area. The property has a 21,662 square foot site and is located in West Chicago, Wayne 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 one-story dwellings of brick, frame or vinyl siding exterior construction ranging in size from 1,152 to 1,751 square feet of living area. The dwellings were built from 1956 to 1960. Each comparable has a full or partial basement, central air

conditioning, and each comparable has a garage ranging in size from 528 to 909 square feet of building area.¹ The comparables have improvement assessments ranging from \$38,900 to \$63,530 or from \$33.76 to \$36.28 per square foot of living area. Based on this evidence, the appellant requested that the improvement assessment be reduced to \$38,724 or \$34.95 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 \$72,630. The subject property has an improvement assessment of \$44,950 or \$40.57 per square foot of living area.

In support of its contention of the correct assessment the board of review through the township assessor submitted property record cards and a grid analysis on five suggested equity comparables located in the same neighborhood code as the subject property. The comparables were improved with one-story dwellings of brick, frame or aluminum siding exterior construction ranging in size from 1,054 to 1,196 square feet of living area. The dwellings were built from 1956 to 1971. Each comparable has a full basement with three comparables having finished area, central air conditioning, one comparable has a fireplace and each comparable has a garage ranging in size from 308 to 725 square feet of building area. The comparables have improvement assessments ranging from \$44,060 to \$49,880 or from \$40.59 to \$44.94 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 eight suggested equity comparables for the Board's consideration. The Board gave less weight to the appellant's comparables #1 and #3 based on their larger dwelling size when compared to the subject. The Board gave less weight to the board of review comparables #2, #3 and #4 as these comparables have basement finish when compared to the subject's unfinished basement.

The Board finds the best evidence of assessment equity to be the remaining three comparables. These comparables are similar when compared to the subject in location, age, dwelling size, and some features. These comparables had improvement assessments ranging from \$38,900 to \$48,540 or from \$33.77 to \$43.40 per square foot of living area. The subject's improvement assessment of \$44,950 or \$40.57 per square foot of living area falls within the range established

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

by the best comparables in this record. Based on this record and after considering adjustments to the comparables for differences when compared to the subject, 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.

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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

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

APPELLANT

James L. Halas, by attorney:
Brian S. Maher
Weis, DuBrock, Doody & Maher
1 North LaSalle Street
Suite 1500
Chicago, IL 60602-3992

COUNTY

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