



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

APPELLANT: DM MIM I, LLC
DOCKET NO.: 20-05786.001-R-1
PARCEL NO.: 02-01-351-010

The parties of record before the Property Tax Appeal Board are DM MIM I, LLC, the appellant, by attorney Peter D. Verros, of Verros Berkshire in Oakbrook Terrace; and the Kendall 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 **Kendall** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$10,701
IMPR.: \$75,652
TOTAL: \$86,353

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Kendall County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2020 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 two-story dwelling of frame exterior construction with 2,320 square feet of living area. The dwelling was constructed in 2002 and is 18 years old. Features of the home include a basement with finished area, central air conditioning, a fireplace and a 567 square foot two-car garage. The property has a 9,912 square foot site and is located in Montgomery, Bristol Township, Kendall 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 .60 of a mile from the subject. The comparables have sites that range in size from 4,909 to 10,531 square feet of land area and are improved with two-story dwellings that are 16 to 19 years old. The dwellings range in size from 1,700 to 2,306 square feet of living area. Two comparables have basements. Each comparable has central air conditioning, two comparables are reported to have fireplaces and each comparable has a two-car garage ranging in size from 418 to 506 square feet of building

area. The comparables sold from February to July 2019 for prices ranging from \$184,900 to \$243,000 or from \$103.81 to \$108.76 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$86,353. The subject's assessment reflects a market value of \$258,930 or \$111.61 per square foot of living area, land included, when using the 2020 three-year average median level of assessment for Kendall County of 33.35% as determined by the Illinois Department of Revenue.

In reviewing the appellant's evidence, the board of review gave no weight to comparable #2 as it is half of a duplex unlike the subject.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales located within the same subdivision as the subject. The comparables have sites ranging in size from 8,400 to 8,987 square feet of land area and are improved with two-story dwellings of frame exterior construction that are 17 years old. The dwellings range in size from 2,219 to 2,339 square feet of living area. The comparables each have a basement with one having finished area. Each comparable has central air conditioning and a garage with 506 square feet of building area. One comparable has a fireplace. The comparables sold from March 2019 to July 2020 for prices ranging from \$249,900 to \$279,900 or from \$109.94 to \$126.14 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 did not meet this burden of proof and no reduction in the subject's assessment is warranted.

The record contains seven suggested comparable sales for the Board's consideration. The Board gives less weight to appellant's comparables #1 and #2 due to differences in dwelling size, and/or lack of a basement when compared to the subject. In addition, appellant's comparable #2 was the sale of one-half of a duplex residence unlike the subject.

The Board finds the best evidence of market value to be appellant's comparable #3 and board of review comparables which are most similar to the subject in site size, age, dwelling size and most features. These comparables sold from February 2019 to July 2020 for prices ranging from \$243,000 to \$279,900 or from \$105.38 to \$126.14 per square foot of living area, including land. The subject's assessment reflects a market value of \$258,930 or \$111.61 per square foot of living area, including land, which is within the range established by the best comparables in the record. Based on this evidence and after considering adjustments to the comparable sales for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by the assessment is supported and no reduction in the subject's assessment is warranted.

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:

April 18, 2023



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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