



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

APPELLANT: Bill Lymangood
DOCKET NO.: 20-07517.001-R-1
PARCEL NO.: 08-07-316-005

The parties of record before the Property Tax Appeal Board are Bill Lymangood, the appellant, by attorney Joanne Elliott of Elliott & Associates, P.C. in Des Plaines; 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: \$101,470
IMPR.: \$231,710
TOTAL: \$333,180

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 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 traditional 2-story dwelling of frame exterior construction with 3,441 square feet of living area. The dwelling was constructed in 2013 and is approximately 7 years old. Features of the home include a basement with finished area, central air conditioning, a fireplace and a three-car garage with 770 square feet of building area. The property has an approximately 10,400¹ square foot site and is located in Naperville, Lisle Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal report prepared by Jerry R. Wicklund, a Certified Residential

¹ The parties differ as to the subject's site size. The Board finds the best evidence of site size is found in the subject's property record card presented by the board of review.

Real Estate Appraiser. The property rights appraised were fee simple and the intended use of the appraisal is to estimate the subject's fair market value for a real estate tax appeal.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value. Under the sales comparison approach to value the appraiser utilized four comparable sales located from .16 to .63 of a mile from the subject property. The comparables have sites that range in size from 6,534 to 12,632 square feet of land area. The comparables are described as traditional dwellings ranging in size from 2,976 to 4,958 square feet of living area and are approximately 9 to 14 years old. The comparables have other features with varying degrees of similarity when compared to the subject. The comparables sold from April 2018 to April 2019 for prices ranging from \$797,000 to \$1,025,000 or from \$177.03 to \$270.50 per square foot of living area, including land. The appraiser applied adjustments to the comparables for differences when compared to the subject to arrive at adjusted sale prices ranging from \$761,400 to \$936,800. Based on the adjusted sale prices, the appraiser estimated the subject property had a market value of \$875,000 or \$254.29 per square foot of living area, including land, as of January 1, 2020. Based on this evidence, the appellant requested an assessment reflective of the appraised value conclusion at 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 \$333,180. The subject's assessment reflects a market value of \$997,545 or \$289.90 per square foot of living area, land included when using the 2020 three-year average median level of assessment for DuPage County of 33.40% as determined by the Illinois Department of Revenue.

The board of review submitted a grid analysis reiterating the appellant's appraisal comparables that was prepared by the township assessor. The comparable dwellings were described as 2-story, part 2-story and part 1-story or 2½-story designs. The board of review reported that the appellant's appraisal comparable sale #4 sold in November 2017.

In support of its contention of the correct assessment the board of review, through the township assessor submitted information on three comparable sales located from .23 to .41 of a mile from the subject property. The comparables have sites that range in size from 10,245 to 11,330 square feet of land area. The comparables are improved with 2-story or part 2-story and part 1-story dwellings of frame or stucco exterior construction ranging in size from 3,108 to 3,955 square feet of living area. The dwellings were built from 2015 to 2018. The comparables have other features with varying degrees of similarity when compared to the subject. The comparables sold from June 2018 to November 2019 for prices ranging from \$1,050,000 to \$1,223,361 or from \$309.32 to \$337.84 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 a reduction in the subject's assessment is not warranted.

The record contains an appraisal estimating the subject property had a market value of \$875,000 as of January 1, 2020 submitted by the appellant and three comparable sales submitted by the board of review to support their respective positions before the Board.

The Board has given less weight to the value conclusion in the appellant's appraisal report. The Board finds the appellant's appraiser chose comparables #1, #3 and #4 which have significantly larger dwelling sizes when compared to the subject dwelling, when other comparables more similar in size were available and utilized by the board of review. Furthermore, the appellant's appraiser reported that comparables #1 and #4 have sale dates that occurred in 2018, less proximate in time to the lien date at issue than other comparable sales in the record. These factors undermine the credibility of the appellant's appraiser's conclusion of value.

The Board has given reduced weight to board of review comparable #3 due to its sale date occurring in 2018, less proximate in time to the assessment date at issue and is thus less likely to be indicative of the subject's market value as of the January 1, 2020 assessment date.

The Board finds the best evidence of market value to be the appellant's appraisal comparable #2 and board of review comparables #1 and #2, which sold proximate in time to the assessment date at issue and are similar to the subject in location, dwelling size, design, age and some features. The comparables sold from April to November 2019 for prices ranging from \$805,000 to \$1,128,000 or from \$270.50 to \$337.84 per square foot of living area, including land. The subject's assessment reflects an estimated market value of \$997,545 or \$289.90 per square foot of living area, including land, which falls within the range established by the best comparable sales contained in the record. Based on this record and after considering adjustments to the best comparables for differences when compared to the subject, the Board finds 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:

May 16, 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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