



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

APPELLANT: Joann Muscato
DOCKET NO.: 20-07648.001-R-1
PARCEL NO.: 01-09-405-011

The parties of record before the Property Tax Appeal Board are Joann Muscato, the appellant, by attorney Mary Kate Gorman, Attorney at Law 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: \$27,350
IMPR.: \$65,930
TOTAL: \$93,280

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 tri-level dwelling of brick and vinyl siding exterior construction with 1,912 square feet of living area. The dwelling was constructed in 1978 and is approximately 42 years old. Features of the home include a finished lower level, central air conditioning, one fireplace and a 2-car 460 square foot garage. The property has an approximately 7,936 square foot site and is located in Bartlett, 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 1 mile from the subject, with one comparable being in the same neighborhood code as the subject¹. The comparables have sites ranging in size from 8,450 to 15,437 square feet of land area. The

¹ The Board finds additional details regarding the comparables not reported by the appellant were found in the board of review's evidence.

comparables are improved with either 2-story or split-level dwellings of brick or brick and frame exterior construction ranging in size from 1,900 to 2,100 square feet of living area that range in age from 41 to 44 years old. Each comparable is reported to have a finished lower level or a basement with finished area, central air conditioning, one fireplace and a 2-car garage containing 440 square feet of building area. The comparables sold from April to August 2019 for prices ranging from \$242,000 to \$250,000 or from \$115.24 to \$131.58 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 \$93,280. The subject's assessment reflects a market value of \$279,281 or \$146.07 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.

In support of its contention of the correct assessment, the board of review, through the township assessor, submitted information on six comparable sales located within 0.33 of a mile from the subject, and in the same neighborhood code as the subject. The comparables have sites ranging in size from 7,989 to 10,711 square feet of land area. The comparables are improved with either tri-level or 2-story dwellings of brick and frame, brick and vinyl siding or brick and aluminum siding exterior construction of either 1,912 or 1,938 square feet of living area. The dwellings were built from 1977 to 1980. Each comparable has a finished lower level or an unfinished basement, one of English design, central air conditioning and a garage with either 440 or 460 square feet of building area. Two comparables each have a fireplace. The comparables sold from June 2018 to July 2020 for prices ranging from \$285,000 to \$304,000 or from \$149.06 to \$159.00 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 nine suggested comparable sales for the Board's consideration. The Board has given less weight to the appellant's comparable #2 along with board of review comparable #6 due to their dissimilar 2-story design when compared to the subject's tri-level design. The Board has given less weight to board of review comparables #1, #2 and #3 due to their sales occurring in 2018, which sold less proximate in time to the January 1, 2020 assessment date given other sales available in the record.

The Board finds the best evidence of market value to be the appellant's comparables #1 and #3 along with board of review comparables #4 and #5. The Board finds these comparables sold proximate in time to the assessment date at issue and are similar to the subject in design, age,

dwelling size and some features. The comparables sold from April 2019 to July 2020 for prices ranging from \$242,000 to \$296,000 or from \$115.24 to \$154.81 per square foot of living area, including land. The subject's assessment reflects a market value of \$279,281 or \$146.07 per square foot of living area, including land, which falls within the range established by the best comparable sales 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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