



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

APPELLANT: Michele Greco
DOCKET NO.: 20-07804.001-R-1
PARCEL NO.: 09-04-311-029

The parties of record before the Property Tax Appeal Board are Michele Greco, 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 A Reduction 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: \$91,610
IMPR.: \$198,970
TOTAL: \$290,580

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 two-story dwelling of stone and frame exterior construction with 4,691 square feet of living area.¹ The dwelling was constructed in 2007. Features of the home include a full unfinished basement, central air conditioning, two fireplaces and an attached three-car garage. The property has an approximately 40,000 square foot site and is located in Downers Grove, Downers Grove Township, DuPage County.

¹ The appellant's appraiser included a schematic drawing depicting the dwelling size of 4,691 square feet along with interior photographs to support the inspection of the home. The board of review submitted a single, two-layer drawing of the dwelling in support of its contention that the home contains 4,965 square feet of living area. Having examined the respective schematic drawings, the Board finds the appellant's appraiser presented better support for the concluded dwelling size, including "unfin. area" on the second floor that may account for the size discrepancy between the parties.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal prepared by Mark R. Stapleton, an Illinois Certified Residential Real Estate Appraiser, estimating the subject property had a market value of \$870,000 as of May 14, 2020. The appraisal was prepared for a refinance transaction and used fee simple property rights in the analysis using the comparable sales comparison approach.

Within the supplemental addendum, Stapleton wrote in pertinent part that the subject was located in extreme eastern Downers Grove (east of Fairview Avenue), which is an area of town considered inferior to the area west of Fairview Avenue (closer to local amenities including downtown shopping and the commuter train). Additionally, he noted the subject was one of the largest homes in the entire town of Downers Grove, thus limiting the amount of available data and the subject has a one-acre site whereas most homes have much smaller sites.

The appraiser analyzed eight comparable properties located from .01 to 1.98 miles from the subject. The comparable parcels range in size from 10,977 to 43,560 square feet (1-acre) of land area improved with a two-story traditional dwelling ranging in age from 1 to 18 years old. The homes range in size from 3,111 to 6,837 square feet of living area and each dwelling has a basement, five of which have finished area and one of which is also a walkout-style. Features include central air conditioning, one to three fireplaces and either a two-car or a three-car garage. Each comparable is reported to have various updating with a notation that comparable #7 has "much superior" updating. Seven comparables sold from September 2018 to December 2019 with comparable #8 being an active listing with sales or listing prices ranging from \$660,000 to \$1,717,500 or from \$172.50 to \$265.71 per square foot of living area, including land.

Next the appraiser applied various adjustments to the comparables for differences when compared to the subject in lot size, age, dwelling size, bathroom count, basement size, basement finish and other differences. Through this process, Stapleton arrived at adjusted sales prices ranging from \$816,700 to \$890,000 and concluded a value for the subject property based upon this data of \$870,000.

Based on this evidence, the appellant requested an assessment reflective of the appraised value conclusion.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$366,630. The subject's assessment reflects a market value of \$1,097,695 or \$234.00 per square foot of living area, land included, based upon a dwelling size of 4,691 square feet and 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 response to the appellant's appraisal evidence, the board of review noted that the appraisal was prepared for a refinance transaction with an opinion of value as of May 14, 2020. The quantitative living area and site size adjustments were noted along with the dwelling size discrepancy in light of the subject's property record card. Appraisal sale #2 reportedly has a pool, but this feature was not addressed in the appraisal. Furthermore, appraisal comparables #1 through #6 are smaller dwellings than the subject with specific size differences set forth as to each dwelling ranging from 791 to 1,854 square feet.

In support of its contention of the correct assessment, the board of review through the Downers Grove Township Assessors Office submitted information on four comparable sales located more distant from the subject dwelling as depicted in a map provided with the evidence. As set forth on the map, each of the board of review comparables is located west of Fairview Avenue. The comparable parcels range in size from 7,088 to 18,000 square feet of land area improved with either two-story or three-story dwellings ranging in age from 1 to 5 years old. The homes range in size from 4,068 to 4,880 square feet of living area and each dwelling has a basement, three of which have finished area. Features include central air conditioning, one or two fireplaces and a garage ranging in size from 440 to 856 square feet of building area. The comparables sold from August 2017 to August 2019 for prices ranging from \$910,000 to \$1,209,300 or from \$207.34 to \$276.13 per square foot of living area, including land.

Based on this evidence and criticisms of the appraisal report, 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the appraisal submitted by the appellant as the appraiser selected dwellings that were closer in proximity to the subject, sold proximate to the valuation date at issue and made adjustments to the comparables for differences in characteristics such as age, size and other features when compared to the subject. The appraiser further detailed the bases for those adjustments and the various locational attributes associated with the subject property. Having thoroughly examined the appellant's appraisal report, the Board finds the report, utilizing the sales comparison approach, to be the best evidence of market value of the subject property in the record. The appraiser detailed adjustments in the report along with explaining the bases for those adjustments. Thus, the Board finds the appraiser's value conclusion is a credible and reliable indicator of the subject's estimated market value as of the assessment date.

In contrast, the board of review presented sales that occurred less proximate in time to the valuation date at issue of January 1, 2020. Additionally, the board of review comparables were more distant from the subject property and also situated in what appraiser Stapleton termed a superior area west of Fairview Avenue. The Board also recognizes that the appraisal report establishes that there were sales available for analysis that were both closer in proximity to the subject and which sold closer in time to the assessment date at issue. Given the foregoing board of review evidence which is both dated and less proximate to the subject in location, the Board has given little weight to the board of review comparable sales presented on this record.

The subject's assessment reflects a market value of \$1,097,695 or \$234.00 per square foot of living area, including land, which is above the appraised value conclusion of \$870,000 as of May

14, 2020, a date approximately five months after the lien date at issue. The Board finds the subject property had a market value of \$870,000 as of the assessment date at issue. Since market value has been established the 2020 three year average median level of assessments for DuPage County of 33.40% as determined by the Illinois Department of Revenue shall apply. (86 Ill.Admin.Code §1910.50(c)(1)).

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: June 27, 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

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