



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

APPELLANT: Thomas Kienzle
DOCKET NO.: 20-07918.001-R-1 through 20-07918.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Thomas Kienzle, the appellant, by attorney Steven Leahy, of the Law Office of Steven A. Leahy, PC 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 **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:

| DOCKET NO | PARCEL NUMBER | LAND | IMPRVMT | TOTAL |
|------------------|----------------------|-------------|----------------|--------------|
| 20-07918.001-R-1 | 09-10-106-034 | 34,490 | 0 | \$34,490 |
| 20-07918.002-R-1 | 09-10-106-035 | 67,830 | 41,300 | \$109,130 |

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 two parcels improved with a one-story dwelling of brick exterior construction with 2,177 square feet of living area. The dwelling was constructed in 1955. Features of the home include an unfinished basement, central air conditioning, one fireplace and a 2-car garage. The two parcels have a combined 15,001 square feet of land area and is located in Clarendon Hills, Downers Grove Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$430,000 as of June 29, 2020. The appraisal was prepared by Kimberly Veum, a Certified Residential Real Estate Appraiser. The intended use of the appraisal report was in support of a refinance transaction for the lender client, Homeside Financial.

In estimating the market value of the subject property, the appraiser developed the cost and sales comparison approaches to value.

In developing the cost approach to value, the appraiser opined the subject's site had a value of \$205,000 based on current listings or sales of vacant land in the subject's market. The appraiser utilized Building-Cost.net to determine the total replacement cost of the subject improvements, assuming an "Average" quality rating, of \$269,395. Physical depreciation was estimated to total \$53,879 and the cost of the "As-Is" value of the site improvements of \$10,000. Adding the land value, replacement costs minus depreciation and adding site improvements, the appraiser arrived at an indicated value for the subject, under the cost approach of \$430,500.

For the sales comparison approach, the appraiser selected four closed sales and two listing reported to be under contract. The six comparables are located from 0.02 to 0.93 of a mile from the subject property. The comparables have sites that range in size from 7,925 to 17,860 square feet of land area and are improved with one-story or two-story dwellings that are further described in style as Ranch, Cape Cod or Georgian. The dwellings range in size from 1,335 to 3,046 square feet of living area and range in age from 67 to 79 years old. Each comparable has basement with four having finished area. The dwellings have central air conditioning and either a 1-car or a 2-car garage. Four comparables each have one or two fireplaces. Comparables #1, #4, #5 and #6 are located in the Westmont High School District like the subject while comparables #2 and #3 are located in the Hinsdale Central School District. Four of the properties sold from December 2019 to June 2020 for prices of \$385,000 to \$497,000 or from \$163.16 to \$246.11 per square foot of living area, land included. Comparables #5 and #6 have list prices of \$449,000 and \$369,900 or for \$284.18 and \$277.08 per square foot of living area, land included, respectively.

After adjusting the two listings for Sale or Financing Concessions, the appraiser adjusted the comparables for differences with the subject in lot size, condition, room count, dwelling size, finished basement area and other features. Additionally, the appraiser made a downward adjustment to comparables #2 and #3 for their location in the Hinsdale Central School District. The appraiser gave most weight to comparable sale #1, located next door to the subject with a similar unfinished basement and comparable #2 which is a similar Ranch style dwelling arriving at adjusted sale prices of the comparables ranging from \$376,900 to \$468,500.

The Board notes that the bottom portion of each page of the appraisal has been cut off and the appraiser's opinion of value based on the sales comparison approach is not contained in the partial appraisal report. The final reconciled opinion of value for the subject property as reported in the cover letter contained in the appraisal report is \$430,000.

The appellant's counsel also submitted a brief detailing property sales in Clarendon Hills occurring in 2019 and 2020 which were broken out by location in either the Hinsdale or Westmont school districts. Based on this evidence, the appellant requested the subject's assessment be reduced to reflect the appraised value when applying the statutory assessment level of 33.33%.

The board of review submitted two "Board of Review Notes on Appeal" disclosing the total combined assessment for the subject's two parcels of \$232,540. The subject's assessment

reflects a market value of \$696,228 or \$319.81 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 submitted information on four comparables located within approximately 0.22 of a mile from the subject property. The comparables have sites that range in size from 7,920 to 10,032 square feet of land area and are improved with one-story or two-story dwellings of frame or frame and brick exterior construction that range in size from 1,740 to 2,282 square feet of living area. The homes were built from 1949 to 1968. Each comparable has an unfinished basement, central air conditioning, one or two fireplaces and a garage ranging in size from 286 to 602 square feet of building area. The comparables sold from June 2017 to May 2018 for prices ranging from \$502,000 to \$600,000 or from \$223.49 to \$327.87 per square foot of living area, land included.

The board of review also submitted comments critiquing the appraisal as being prepared for refinancing purposes and dated June 29, 2020. It further noted that appraisal comparables #3 and #6 were substantially different in dwelling size when compared to the subject and therefore were not good comparable properties. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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 appellant submitted an appraisal and the board of review submitted four comparable sales for the Board's consideration. The Board gives less weight to the board of review comparables which sold in 2017 and 2018, less proximate in time to the January 1, 2020 assessment date than other properties in the record.

The Board finds the best evidence of market value to be the appraisal submitted by the appellant which included sales occurring more proximate in time to the assessment date at issue in this appeal and appear to be appropriately adjusted for differences with the subject property. The subject's assessment reflects a market value of \$696,228 or \$319.81 per square foot of living area, including land, which falls above the appraised value. The Board finds the subject property had a market value of \$430,000 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:

July 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

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