



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

APPELLANT: Robert Rossi
DOCKET NO.: 20-08014.001-R-2
PARCEL NO.: 06-01-117-031

The parties of record before the Property Tax Appeal Board are Robert Rossi, the appellant, by attorney George N. Reveliotis, of Reveliotis Law, P.C. in Park Ridge; 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: \$84,880
IMPR.: \$346,940
TOTAL: \$431,820

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 2-story dwelling of brick and stone exterior construction with 3,687 square feet of living area.¹ The dwelling was constructed in 2017 and is approximately 3 years old. Features of the home include a full unfinished basement, central air conditioning, a fireplace, and a 2-car garage. The property has an 8,524 square foot site and is located in Elmhurst, York Township, DuPage County.

¹ The parties differ regarding the subject's dwelling size. The Board finds the best evidence of dwelling size is found in the board of review's evidence which was not refuted by the appellant in written rebuttal. The appraiser reported a slightly smaller dwelling size than the board of review even though the appraiser stated the dwelling size was taken from the assessor's records. However, the appraisal did not contain a sketch or measurements to indicate how the appraiser arrived at a different dwelling size.

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 \$890,000 as of January 1, 2019. The appraisal was prepared by Nicholas J. Mulligan, a certified residential real estate appraiser, for ad valorem tax purposes.

Under the sales comparison approach, the appraiser selected six comparable sales located within 0.41 of a mile from the subject. The parcels range in size from 7,405 to 11,461 square feet of land area² and are improved with 2-story homes of brick and stone, frame and stone, or brick, stone, and stucco exterior construction. The dwellings range in size from 3,327 to 3,714 square feet of living area and range in age from 3 to 6 years old. Each home has a basement, four of which have finished area, central air conditioning, one or two fireplaces, and a 2-car or a 3-car garage. The comparables sold from March 2017 to April 2018 for prices ranging from \$838,000 to \$920,000 or from \$225.63 to \$268.22 per square foot of living area, including land. The appraiser made adjustments to the comparables for differences from the subject, such as room count, dwelling size, basement finish, fireplace count, and other improvements, to arrive at adjusted sale prices ranging from \$813,000 to \$930,000. Based on the foregoing, the appraiser opined a market value for the subject of \$890,000 as of January 1, 2019.

Based on this evidence the appellant requested a reduction in the subject's assessment to reflect the appraised value conclusion.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$431,820. The subject's assessment reflects a market value of \$1,292,874 or \$ 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 ten comparable sales, together with a grid analysis of five of the appraisal sales and a map depicting the locations of both parties' comparables in relation to the subject. The board of review's comparables are located within the same assessment neighborhood code as the subject. The parcels range in size from 7,263 to 10,263 square feet of land area and are improved with 2-story homes of brick/masonry/stone, frame/aluminum/vinyl, or frame and brick/stone exterior construction. The homes range in size from 3,460 to 3,997 square feet of living area and were built from 2015 to 2019. Each home has a basement and a 2-car garage. The comparables sold from March 2018 to November 2019 for prices ranging from \$1,000,000 to \$1,527,057 or from \$289.02 to \$382.05 per square foot of living area, including land.

The board of review submitted a letter from the township assessor's office asserting that the subject home was built in 2017 and is located in a subdivision of "52 new high end construction homes" which have superior construction and amenities to homes in surrounding neighborhoods. The assessor further contended that appraisal sale #1 is in a different township.

Based on this evidence the board of review requested confirmation of the subject's assessment.

² The board of review reported these comparables range in size from 7,173 to 11,741 square feet of land area.

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 appellant presented an appraisal and the board of review presented ten comparable sales in support of their respective positions before the Board. The Board gives less weight to the value conclusion contained in the appraisal which opines a value as of January 1, 2019 and relies on sales occurring in 2017 and 2018, which are more remote in time from the January 1, 2020 assessment date.

The Board finds the best evidence of market value to be the board of review's comparables #1, #2, and #10, which are similar to the subject in dwelling size, age, lot size, location, and features and sold proximate in time to the assessment date. The Board gives less weight to the board of review's comparables #3 through #9, which sold in 2018, less proximate in time to the assessment date than other comparables in this record. The best comparables sold for prices ranging from \$1,000,000 to \$1,527,057 or from \$289.02 to \$382.05 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,292,874 or \$350.66 per square foot of living area, including land, which is within the range established by the best comparable sales in the record. Based on this evidence and after considering appropriate adjustments to the best comparables for differences when compared to the subject, the Board finds a reduction in the subject's assessment is not justified.

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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