



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

APPELLANT: Phillip Bowers  
DOCKET NO.: 20-08065.001-R-1  
PARCEL NO.: 09-08-220-011

The parties of record before the Property Tax Appeal Board are Phillip Bowers, the appellant, by Jessica Hill-Magiera, Attorney at Law in Lake Zurich; 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:** \$49,890  
**IMPR.:** \$24,740  
**TOTAL:** \$74,630

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 one-story dwelling of frame exterior construction with 720 square feet of living area. The dwelling was constructed in 1953. Features of the home include one full bathroom and a full unfinished basement. The property has a 6,600 square foot site and is located in Lake Zurich, Downers Grove Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales located within .78 of a mile of the subject, two of which are within the same assessment neighborhood as the subject. The comparables consist of one-story dwellings of brick or frame exterior construction containing either 749 or 768 square feet of living area.<sup>1</sup> The homes were built from 1947 to 1953. Each dwelling has one full bathroom, a full unfinished basement, and a garage ranging in size from

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<sup>1</sup> Information not reported by the appellant was taken from the grid of appellant's comparables submitted by the board of review.

240 to 396 square feet of building area. The parcels range in size from 6,600 to 11,312 square feet of land area. The comparables sold from January 2019 to August 2020 for prices ranging from \$125,000 to \$228,500 or from \$162.76 to \$297.53 per square foot of living area, including land. Based on this evidence, the appellant requested a reduced assessment of \$63,246, for an estimated market value of \$189,757 or \$263.55 per square foot of living area, including land, when applying 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 \$74,630. The subject's assessment reflects a market value of \$223,443 or \$310.34 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 five comparable sales located within .57 of a mile of the subject and within the subject's assessment neighborhood. The comparables consist of one-story dwellings of frame or brick exterior construction ranging in size from 884 to 974 square feet of living area. The dwellings were built from 1948 to 1954. Each dwelling has a basement, with one having finished area, and a garage ranging in size from 260 to 440 square feet of building area. Two comparables each have a fireplace and two comparables have central air conditioning. The parcels range in size from 6,250 to 7,920 square feet of land area. The comparables sold from January 2019 to August 2020 for prices ranging from \$225,000 to \$449,000 or from \$231.01 to \$485.41 per square foot of living area, including land. The board of review also submitted a memorandum arguing that appellant comparable #3 was a land sale and that appellant comparable #4 received a 10% downward adjustment for location. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, appellant argued that the board of review's comparables should be given less weight due to their larger dwellings compared to the subject and each has a garage which the subject lacks.

### **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 parties submitted a total of nine comparable sales to support their respective positions before the Property Tax Appeal Board. The Board gives less weight to the board of review's comparables due to differences in dwelling size and/or basement finish when compared to the subject.

The Board finds the best evidence of market value to be the appellant's comparable sales, which are similar to the subject in age, dwelling size, location, and most features, noting that each

comparable has a garage, which the subject lacks, suggesting downward adjustments would be necessary to make them more equivalent to the subject. These most similar comparables sold for prices ranging from \$125,000 to \$228,500 or from \$162.76 to \$297.53 per square foot of living area, including land. The subject's assessment reflects a market value of \$223,443 or \$310.34 per square foot of living area, including land, which is within the range established by the best comparable sales in this record overall. Although the subject's assessment is above the range on a per-square-foot basis, the Board finds this logical due to the principle of economies of scale which generally provides that as the size of a property increases, the per unit value decreases, and in contrast, as the size of a property decreases, the per unit value increases. Based on this evidence and after considering 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:

April 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

AGENCY

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