



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

APPELLANT: Hans Evers
DOCKET NO.: 20-08077.001-R-2
PARCEL NO.: 09-10-221-018

The parties of record before the Property Tax Appeal Board are Hans Evers, 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 **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: \$113,680
IMPR.: \$250,580
TOTAL: \$364,260

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 exterior construction¹ with 3,282 square feet of living area. The dwelling was constructed in 2000. Features of the home include a basement with finished area, central air conditioning and a 982 square foot garage. The property has an approximately 15,342 square foot site 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 information on six comparable sales located within 0.45 of a mile and in the same neighborhood code as the subject. The comparables have sites that range in size from 7,550 to 11,400 square feet of land area². The comparables are improved with 2-story dwellings of

¹ The Board finds the best description of the subject is found in the property record card provided by the board of review.

² The Board finds additional details regarding the comparables not reported by the appellant was found in the board of review's evidence.

brick, frame or brick and frame exterior construction ranging in size from 2,958 to 3,594 square feet of living area that were built from 2001 to 2005. Each comparable is reported to have a basement, five with finished area, central air conditioning, one to three fireplaces and a garage ranging in size from 469 to 713 square feet of building area. The comparables sold from July 2019 to May 2020 for prices ranging from \$782,500 to \$1,110,000 or from \$252.43 to \$330.73 per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$441,690. The subject's assessment reflects a market value of \$1,322,425 or \$402.93 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 five comparable sales, two of which are located in the same neighborhood code as the subject, a map depicting the locations of the comparables in relation to the subject and within 0.55 of a mile from the subject. The comparables have sites ranging in size from 9,000 to 10,605 square feet of land area. The comparables are improved with either 2-story or 3-story dwellings of frame exterior construction ranging in size from 3,255 to 3,661 square feet of living area. The dwellings were built from 2009 to 2018. Each comparable has a basement with finished area, central air conditioning, one to three fireplaces and a garage ranging in size from 475 to 550 square feet of building area. The comparables sold from June 2018 to November 2019 for prices ranging from \$1,325,000 to \$1,487,500 or from \$368.57 to \$425.34 per square foot of living area, including land.

In rebuttal, the appellant critiqued that the board of review comparables should be given less weight due to their remote sale dates and/or dissimilar design when compared to the subject.

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 record contains eleven suggested comparable sales for the Board's consideration. The Board has given less weight to the appellant's comparable #4 due its unfinished basement area when compared to the subject's finished basement area. The Board has given less weight to the board of review comparables due to their sales dates occurring in 2018, which sold less proximate in time to the January 1, 2020 assessment date given other sales available in the record, their dissimilar design and/or their newer in age when compared to the subject.

The Board finds the best evidence of market value to be the appellant's comparables #1, #2, #3, #5 and #6. 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 July 2019 to May 2020 for prices ranging from \$782,500 to \$1,110,000 or from \$252.43 to \$330.73 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,322,425 or \$402.93 per square foot of living area, including land, which is greater than the best comparable sales in the record. After considering adjustments to the best comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is excessive. Therefore, based on this record the Board finds a reduction in the subject's assessment is 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Hans Evers, by attorney:
Jessica Hill-Magiera
Attorney at Law
790 Harvest Drive
Lake Zurich, IL 60047

COUNTY

DuPage County Board of Review
DuPage Center
421 N. County Farm Road
Wheaton, IL 60187