



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

APPELLANT: Daniel Tausk
DOCKET NO.: 20-08078.001-R-1
PARCEL NO.: 09-10-219-034

The parties of record before the Property Tax Appeal Board are Daniel Tausk, 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: \$69,450
IMPR.: \$301,290
TOTAL: \$370,740

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 frame and brick exterior construction with 3,480 square feet of living area.¹ The dwelling was constructed in 2006. Features of the home include a basement with finished area, central air conditioning, two fireplaces, and a garage containing 673 square feet of building area. The property has a 9,714 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 five comparable sales located within .69 of a mile of the subject and within the subject's assessment neighborhood. The comparables consist of two-story dwellings of brick, frame, or brick and frame exterior construction ranging in size from 3,401 to 3,669 square feet of living area.² The homes were built from 2001 to 2005. Each

¹ Details not reported by the appellant were drawn from the property record card submitted by the board of review.

² Details not reported by the appellant were drawn from the property record cards submitted by the board of review.

dwelling has central air conditioning, one or two fireplaces, a basement with four having finished area, and a garage ranging in size from 484 to 662 square feet of building area. The parcels range in size from 9,000 to 11,400 square feet of land area. The comparables sold from July to October 2019 for prices ranging from \$882,500 to \$1,110,000 or from \$252.43 to \$308.85 per square foot of living area, including land. Based on this evidence, the appellant requested a reduced assessment of \$327,651, for an estimated market value of \$983,051 or \$282.49 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 \$383,920. The subject's assessment reflects a market value of \$1,149,461 or \$330.30 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 seven comparable sales located within .73 of a mile of the subject and within the subject's assessment neighborhood. The comparables consist of two-story or three-story dwellings of brick, frame, or brick and frame exterior construction ranging in size from 3,220 to 3,621 square feet of living area. The dwellings were built from 2000 to 2009. Each dwelling has central air conditioning, one to three fireplaces, a basement with four having finished area, and a garage ranging in size from 454 to 518 square feet of building area. The parcels range in size from 9,000 to 10,605 square feet of land area. The comparables sold from June 2017 to May 2020 for prices ranging from \$999,000 to \$1,350,000 or from \$289.15 to \$381.36 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant argued that the board of review submitted evidence for a different property.

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 parties submitted a total of 12 comparable sales to support their respective positions before the Property Tax Appeal Board. The Board gives less weight to the appellant's comparable #4 due to its lack of finished basement area which is a feature of the subject. The Board also gives reduced weight to board of review comparables #1 through #6 due to differences in design or basement finish when compared to the subject, and/or their remote sale dates for valuation as of January 1, 2020.

The Board finds the best evidence of market value to be appellant's comparable sales #1, #2, #3, and #5 along with board of review comparable sale #7, which are similar to the subject in design, age, dwelling size, location, and features. These most similar comparables sold from July 2019 to May 2020 for prices ranging from \$882,500 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 \$1,149,461 or \$330.30 per square foot of living area, including land, which is above the range established by the best comparable sales in this record in terms of overall market value. 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 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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