



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

APPELLANT: Nichol Stimac
DOCKET NO.: 20-08108.001-R-1
PARCEL NO.: 09-01-328-014

The parties of record before the Property Tax Appeal Board are Nichol Stimac, 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: \$138,460
IMPR.: \$198,170
TOTAL: \$336,630

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 2-story dwelling with frame construction containing 3,302 square feet of living area. The dwelling was built in 1902. Features of the home include an unfinished basement, central air conditioning, a fireplace, and an attached garage with 625 square feet of building area.¹ The property has a site of approximately 14,311 square feet and is located in Hinsdale, Downers Grove Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted a grid analysis with information on four comparable sales located within .58 of a mile from the subject, two of which are within the same assessment neighborhood code as

¹ Some descriptive information regarding the subject and the appellant's comparables was drawn from the grid analysis submitted by the board of review.

the subject property.² The comparables have sites ranging in size from 6,150 to 17,325 square feet of land area and are improved with 2-story dwellings of frame construction that range in size from 2,975 to 3,888 square feet of living area. The dwellings were built from 1894 to 1917. Each comparable features an unfinished basement, one or two fireplaces, and a garage with either 528 or 712 square feet of building area. Two comparables have central air conditioning. The comparables sold from May 2019 to October 2020 for prices ranging from \$576,000 to \$1,115,000 or from \$181.47 to \$286.78 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's total assessment be reduced.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$336,630. The subject's assessment reflects a market value of \$1,007,874 or \$305.23 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 a grid analysis with information on four comparable sales located within .65 of a mile from the subject and within the same assessment neighborhood code as the subject property. The comparables have parcels ranging in size from 5,346 to 16,492 square feet of land area. The sites are improved with 2-story dwellings of frame or frame and brick exterior construction that range in size from 2,710 to 2,930 square feet of living area. The dwellings were built from 1938 to 1984. Each comparable features an unfinished basement, central air conditioning, one or two fireplaces, and a garage ranging in size from 441 to 2,236 square feet of building area. The comparables sold from June 2018 to September 2020 for prices ranging from \$972,000 to \$1,150,000 or from \$340.34 to \$424.35 per square foot of living area, including land. The board of review argued in a memorandum that appellant's comparable #2 is listed as a new construction with a market value of \$2,849,000 with demolition and new construction permits on file. This was not disputed by the appellant in rebuttal. Based on this evidence, the board of review requested the assessment be sustained.

In rebuttal, the appellant's counsel argued that the board of review comparables #1 and #2 sold too remote in time from the lien date at issue and are newer in age relative 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains a total of eight comparable sales submitted by the parties in support of their respective positions before the Property Tax Appeal Board. After analyzing the evidence

² The board of review contends that appellant's comparable #2 is located in a different neighborhood code than the subject which was not contested by the appellant in rebuttal.

submitted, the Board gives less weight to appellant's comparables #2 and #3 as these comparables each lack central air conditioning which is a feature of the subject property, and they are located outside of the subject's neighborhood. Additionally, comparable #2 appears to be a new construction with the previous dwelling described in the appellant's grid having been demolished. The Board also gives less weight to board of review comparables #1 and #2 based on their sale dates in 2018 being less proximate in time to the January 1, 2020 assessment date at issue, and thus less likely to reflect the subject's market value than the remaining sales in this record which sold more proximate in time to the said lien date. Finally, the Board gives less weight to board of review comparables #3 and #4 which are significantly newer in age when compared to the subject dwelling.

On this record, the Board finds the best evidence of market value to be appellant's comparables #1 and #4 which are most similar to the subject in location, design, age, and most features. However, comparable #4 differs from the subject in dwelling size suggesting that adjustments are appropriate in order to make this comparable more equivalent to the subject dwelling. These two best comparables in the record sold in May and August 2019 for prices of \$875,000 and \$1,115,000 or for \$247.24 and \$286.78 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,007,874 or \$305.23 per square foot of living area, including land, which is bracketed by the two best comparable sales in this record in terms of overall market value and higher on a per square foot of living area basis. However, the subject's higher per square foot price is logical given its smaller dwelling size and considering the well-established real estate principal of economies of scale which suggests that, all else being similar, as the size of the dwelling decreases, its price per square foot increases, and vice versa. After considering adjustments to the best comparables in the record for differences from the subject, the Board finds that the appellant did not demonstrate by a preponderance of the evidence that the subject property is overvalued and, therefore, no reduction is warranted.

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

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

APPELLANT

Nichol Stimac, 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