



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

APPELLANT: Michael Leblecki
DOCKET NO.: 20-08124.001-R-1
PARCEL NO.: 09-16-210-009

The parties of record before the Property Tax Appeal Board are Michael Leblecki, 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: \$65,860
IMPR.: \$60,880
TOTAL: \$126,740

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 raised ranch dwelling of brick exterior construction¹ with 1,276 square feet of living area. The dwelling was constructed in 1962. Features of the home include an unfinished basement, central air conditioning and a 504 square foot garage. The property has a 40,050 square foot site and is located in Westmont, 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 eight comparable sales located within 0.26 of a mile and in the same neighborhood code as the subject. Comparables #1 through #7 are reported to have sites

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

that range in size from 9,504 to 11,247 square feet of land area². The comparables are improved with split-level or 1-story dwellings of brick, frame or brick and frame exterior construction ranging in size from 1,247 to 1,330 square feet of living area that were built from 1958 to 1969. Two comparables have a basement, one with finished area. Each comparable has a garage ranging in size from 460 to 624 square feet of building area. Three comparables each have central air conditioning and three comparables each have a fireplace. The comparables sold from May 2019 to July 2020 for prices ranging from \$265,000 to \$362,000 or from \$212.51 to \$280.19 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 \$126,740. The subject's assessment reflects a market value of \$379,461 or \$297.38 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 six comparable sales located in the same neighborhood code as the subject and a map depicting the locations of both parties comparables in relation to the subject. The board of review comparables #1 and #4 are the same properties as the appellant's comparables #6 and #7, respectively. The comparables have sites ranging in size from 9,127 to 11,925 square feet of land area. The comparables are improved with split-level or 1-story dwellings of frame exterior construction ranging in size from 1,176 to 1,322 square feet of living area. The dwellings were built from 1965 to 1973. The comparables have basements, five of which have finished area. Each comparable has a garage ranging in size from 440 to 624 square feet of building area. Four comparables each have central air conditioning. The comparables sold from May 2018 to March 2020 for prices ranging from \$351,250 to \$380,000 or from \$276.57 to \$307.40 per square foot of living area, including land.

In rebuttal, the appellant argued that the board of review comparables #1 through #4 are either acceptable or are duplicate sales of the appellant's comparables and comparables #5 and #6 should be given less weight due to their remote sale dates.

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 twelve suggested comparable sales for the Board's consideration, with two comparables being common to both parties. The Board has given less weight to the board of

² The Board finds additional details regarding the comparables, not reported by the appellant, were found in the board of review's evidence, through the township assessor. Site size, design, exterior construction, and/or features were not provided for the appellants comparable #8.

review comparables #5 and #6 due to their sale dates occurring in 2018, which sold less proximate in time to the January 1, 2020 assessment date given other sales available in the record.

The Board finds the best evidence of market value to be the parties remaining comparables which sold proximate in time to the assessment date at issue and have varying degrees of similarity to the subject in location, design, age, dwelling size and some features. However, the comparables all have substantially smaller lot sizes, suggesting upward adjustments would be needed to make the comparables more equivalent to the subject. The comparables sold from January 2019 to July 2020 for prices ranging from \$265,000 to \$377,100 or from \$212.51 to \$307.40 per square foot of living area, including land. The subject's assessment reflects a market value of \$379,461 or \$297.38 per square foot of living area, including land, which is greater on an overall market value basis but falls within the range on a per square foot basis by the best comparable sales in the record. However, after considering adjustments to the best comparables for differences such as site size when compared to the subject, the Board finds no reduction in the subject's assessment 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:

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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