



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

APPELLANT: Stefan & Alicia Stasiak
DOCKET NO.: 20-08125.001-R-1
PARCEL NO.: 08-03-304-003

The parties of record before the Property Tax Appeal Board are Stefan & Alicia Stasiak, the appellants, 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: \$47,470
IMPR.: \$105,100
TOTAL: \$152,570

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 1-story dwelling of brick exterior construction¹ with 2,646 square feet of living area. The dwelling was constructed in 2003. Features of the home include an unfinished basement of walk out design, central air conditioning, two fireplaces and an 836 square foot garage. The property has an approximately 23,813 square foot site and is located in Lisle, Lisle Township, DuPage County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on three comparable sales located from 0.31 of a mile to 1.70 miles from the subject and in a different neighborhood code as the subject. The comparables

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

have sites that range in size from 11,784 to 30,245 square feet of land area². The comparables are improved with 1-story dwellings of brick exterior construction ranging in size from 2,422 to 3,157 square feet of living area that were built from 1979 to 1998. Each comparable is reported to have a basement, two with finished area, central air conditioning, one fireplace and a garage ranging in size from 552 to 945 square feet of building area. The comparables sold from September 2019 to March 2020 for prices ranging from \$335,000 to \$402,500 or from \$118.78 to \$138.32 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$167,130. The subject's assessment reflects a market value of \$500,389 or \$189.11 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 response to the appeal, the board of review, through the township assessor, noted that the appellants' comparable #2 was a Bank Real Estate Owned sale and provided the deed in Lieu of Foreclosure and the PTAX-203, showing HUD as seller and the property was advertised for sale.

In support of its contention of the correct assessment, the board of review, through the township assessor, submitted information on four comparable sales located within 2.46 miles from the subject and in a different neighborhood code as the subject, and a map depicting the locations of both parties' comparables in relation to the subject. The comparables have sites ranging in size from 9,587 to 26,059 square feet of land area. The comparables are improved with 1-story dwellings of brick or brick and frame exterior construction ranging in size from 1,943 to 2,375 square feet of living area. The dwellings were built from 1974 to 1985. Each comparable has a basement, one with finished area, one or two fireplaces and a garage ranging in size from 504 to 700 square feet of building area. Three comparables each have central air conditioning. The comparables sold from August 2018 to July 2020 for prices ranging from \$379,250 to \$509,500 or from \$173.89 to \$239.20 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 appellants' argued that the board of review submitted six comparables when the board of review only provided four comparables.

Conclusion of Law

The appellants contend 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 appellants met this burden of proof and a reduction in the subject's assessment is warranted.

² The Board finds additional details regarding the comparables not reported by the appellants were found in the board of review's evidence, through the township assessor.

The Board finds the parties submitted a total of seven comparable sales for the Board's consideration. The Board has given less weight to the appellants' comparables #2 and #3 along with board of review comparable #1 due to their finished basement areas when compared to the subject's unfinished basement. The Board has given less weight to the appellants' comparable #4 along with the board of review comparable #2 due to their dissimilar dwelling size and/or dissimilar site size when compared to the subject.

The Board finds the best evidence of market value to be the appellants' comparable #1 along with the board of review comparable #3. The Board finds these comparables are more similar to the subject in location, design, age and some features. The comparables sold in October 2019 and July 2020 for prices of \$335,000 or \$413,000 or for \$138.32 or \$173.89 per square foot of living area, including land. The subject's assessment reflects a market value of \$500,389 or \$189.11 per square foot of living area, including land, 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

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