



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

APPELLANT: Ryan T. Hertz
DOCKET NO.: 20-08132.001-R-1
PARCEL NO.: 08-35-403-041

The parties of record before the Property Tax Appeal Board are Ryan T. Hertz, 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: \$45,910
IMPR.: \$60,020
TOTAL: \$105,930

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 part 1-story and part 2-story dwelling of frame exterior construction¹ with 1,462 square feet of living area. The dwelling was constructed in 1987. Features of the home include a basement with finished area, central air conditioning, one fireplace and a 400 square foot garage. The property has an approximately 7,672 square foot site and is located in Woodridge, Lisle Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on four comparable sales located within 0.67 of a mile, and in a different neighborhood code as the subject. The comparables have sites ranging in size from 7,324 to 12,190 square feet of land area². The comparables are improved with part 1-story and

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 were found in the board of review's evidence.

part 2-story dwellings of frame exterior construction ranging in size from 1,496 to 1,524 square feet of living area that were built in either 1983 or 1985. Each comparable is reported to have an unfinished basement, central air conditioning, and a garage containing 400 square feet of building area. Three comparables each have one fireplace. The comparables sold from January 2019 to November 2020 for prices ranging from \$235,000 to \$250,000 or from \$154.20 to \$165.78 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 \$105,930. The subject's assessment reflects a market value of \$317,156 or \$216.93 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 township assessor, submitted information on three comparable sales located within 0.73 of a mile, with one comparable in the same neighborhood code as the subject. The comparables have sites ranging in size from 7,267 to 10,628 square feet of land area. The comparables are improved with part 1-story part 2-story or 2-story dwellings of frame exterior construction ranging in size from 1,408 to 1,763 square feet of living area. The dwellings were built from 1979 to 1992. Each comparable has a basement one with finished area and a garage ranging in size from 400 to 520 square feet of building area. Two comparables each have central air conditioning and one comparable has a fireplace. The comparables sold from November 2019 to September 2020 for prices ranging from \$270,000 to \$375,000 or from \$191.76 to \$212.71 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 contends that the board of review comparable #1 should be given less weight due to its dissimilar dwelling size when compared to the subject. The appellant asserted that the board of review comparables #2 and #3 are acceptable comparables.

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 eight suggested comparable sales for the Board's consideration. The Board has given less weight to the board of review comparables #1 and #3 for their dissimilar dwelling size and/or lack of central air conditioning when compared to the subject.

The Board finds the best evidence of market value to be the appellant's comparables along with the board of review comparable #2. The Board finds these comparables are similar to the subject in design, age, dwelling size and some features, except the comparables lack a finished basement

area, a feature of the subject, suggesting adjustments would be needed to make the comparables equivalent to the subject. The comparables sold for prices ranging from \$235,000 to \$323,000 or from \$154.20 to \$207.05 per square foot of living area, including land. The subject's assessment reflects a market value of \$317,156 or \$216.93 per square foot of living area, including land, falls within the range established by the best comparable sales on an overall market value basis but above the range on a price per square foot basis which appears to be logical given the subject's finished basement area. Based on this record and after considering adjustments to the best comparables for differences 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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