



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

APPELLANT: Mark Simonides
DOCKET NO.: 20-08222.001-R-1
PARCEL NO.: 03-22-310-016

The parties of record before the Property Tax Appeal Board are Mark Simonides, the appellant, by attorney Ryan Schaeffges of the Law Office of Ryan Schaeffges, P.C. in Wheeling; 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: \$59,110
IMPR.: \$160,300
TOTAL: \$219,410

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 brick and frame exterior construction with 3,773 square feet of living area. The dwelling was constructed in 1991 and is approximately 29 years old. Features of the home include an unfinished basement, central air conditioning, a fireplace and a garage containing 1,945 square feet of building area, of which 736 square feet is garage area and 1,186 square feet is utility area that has a full unfinished basement. The property has a 19,800 square foot site and is located in Addison, Addison Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on three comparable sales with the same assessment neighborhood code as the subject. The comparables have sites that range in size from 11,200 to 16,000 square feet of land area. The comparables are improved with two-story dwellings of

brick exterior construction ranging in size from 3,904 to 5,974 square feet of living area. The dwellings range in age from 15 to 17 years old. The comparables each have an unfinished basement, central air conditioning, a fireplace and garage ranging in size from 698 to 1,467 square feet of building area. The comparables sold from May to August 2019 for prices ranging from \$540,000 to \$630,000 or from \$105.46 to \$144.21 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's assessment be reduced to \$160,000, which would reflect a market value of \$480,048 or \$127.23 per square foot of living area, including land, when using 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 \$219,410. The subject's assessment reflects a market value of \$656,916 or \$174.11 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 support of its contention of the correct assessment, the board of review, through the township assessor submitted information on four comparable sales with the same assessment neighborhood code as the subject. Board of review comparable #2 is the same property as the appellant's comparable #1. The comparables have sites that range in size from 11,200 to 17,985 square feet of land area. The comparables are improved with two-story dwellings of brick or brick and frame exterior construction ranging in size from 3,450 to 3,904 square feet of living area. The dwellings were built from 2004 to 2007. The comparables each have a basement, two of which have finished area. Each comparable has central air conditioning, one or two fireplaces and a garage ranging in size from 635 to 826 square feet of building area. The comparables sold from February 2018 to June 2020 for prices ranging from \$540,000 to \$600,000 or from \$144.21 to \$167.39 per square foot of living area, including land.

The assessor asserted the subject property has a second much larger garage with 1,186 square feet of utility area with a full basement. The assessor argued that if the utility area with the basement were removed the subject's price per square foot value would be at the lower end of the range at \$148.61.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 six suggested comparable sales for the Board's consideration, as one sale was common to both parties. The Board has given less weight to the appellant's comparable #1 due to its larger dwelling size when compared to the subject. The Board has

given reduced weight to board of review comparable #1 due to the February 2018 sale date not being as proximate in time to the assessment date as the remaining sales.

The Board finds the best evidence of market value to be the parties' remaining comparable sales which includes the common sale. The Board finds these four comparables sold proximate in time to the assessment date at issue and are similar to the subject in location, dwelling size and design. The Board finds these comparables are somewhat newer in age, when compared to the subject and two comparables have finished basements, unlike the subject, suggesting downward adjustments would be required to make the comparables more equivalent to the subject. The Board also finds these comparables have smaller site sizes and considerably smaller garages with no additional basement area, like the subject, suggesting upward adjustments would be required to make the comparables more equivalent to the subject. Nevertheless, the comparables sold from May 2019 to June 2020 for prices ranging from \$540,000 to \$600,000 or from \$133.27 to \$167.39 per square foot of living area, including land. The subject's assessment reflects a market value of \$656,916 or \$174.11 per square foot of living area, including land, which is above the range established by the best comparables in the record. However, after considering adjustments to the comparables for differences from the subject, the Board finds the subject's higher value appears to be justified given its superior site size and larger garage size with an additional basement area. Therefore, based on this record, the Board finds no reduction in the subject's estimated market value as reflected by its 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: September 20, 2022



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

Mark Simonides, by attorney:
Ryan Schaeffges
Law Office of Ryan Schaeffges, P.C.
851 Seton Court
Suite 1A
Wheeling, IL 60090

COUNTY

DuPage County Board of Review
DuPage Center
421 N. County Farm Road
Wheaton, IL 60187