



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

APPELLANT: Brent Frank
DOCKET NO.: 20-08247.001-R-1
PARCEL NO.: 08-35-407-007

The parties of record before the Property Tax Appeal Board are Brent Frank, the appellant, by attorney Glenn S. Guttman, of Rieff Schramm Kanter & Guttman in Chicago; 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: \$41,490
IMPR.: \$61,860
TOTAL: \$103,350

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 two-story and part one-story dwelling of frame exterior construction with 2,101 square feet of living area.¹ The dwelling was constructed in 1980 and is approximately 40 years old. Features of the home include an unfinished basement, a fireplace, and a garage containing 462 square feet of building area. The property has a 15,219 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 three comparable sales located within .5 of a mile of the subject and within the subject's assessment neighborhood. The comparables consist of part two-story and part one-story dwellings of frame or frame and brick exterior construction ranging in

¹ Details not reported by the appellant were drawn from the subject's property record card submitted by the board of review.

size from 2,612 to 2,932 square feet of living area.² The homes are 39 or 40 years old. Each dwelling has central air conditioning, a fireplace, an unfinished basement, and a garage ranging in size from 447 to 720 square feet of building area. The parcels range in size from 10,624 to 14,399 square feet of land area. The comparables sold from March to July 2019 for prices ranging from \$278,000 to \$354,000 or either \$94.82 or \$126.34 per square foot of living area, including land. Based on this evidence, the appellant requested a reduced assessment of \$81,119, for an estimated market value of \$243,381 or \$115.84 per square foot of living area, including land, when applying 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 \$103,350. The subject's assessment reflects a market value of \$309,431 or \$147.28 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 information on three comparable sales located within .5 of a mile of the subject, two of which are in the subject's assessment neighborhood. The comparables consist of two-story or part two-story and part one-story dwellings of frame exterior construction ranging in size from 1,833 to 2,142 square feet of living area. The dwellings were built from 1978 to 1981. Each dwelling has a basement with one having finished area and a garage ranging in size from 406 to 539 square feet of building area. Two comparables each have a fireplace and two comparables have central air conditioning. The parcels range in size from 8,532 to 9,317 square feet of land area. The comparables sold from May 2019 to July 2020 for prices ranging from \$325,000 to \$375,000 or from \$152.19 to \$181.16 per square foot of living area, including land. 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 parties submitted a total of six comparable sales to support their respective positions before the Property Tax Appeal Board. The Board gives less weight to the appellant's comparables due to their larger dwellings in relation to the subject. The Board also gives reduced weight to board of review comparable #2 due to its finished basement, a feature the subject lacks.

The Board finds the best evidence of market value to be board of review comparable sales #1 and #3, which are similar to the subject in age, dwelling size, location, and features. These most similar comparables sold for prices of \$325,000 and \$375,000 or for \$177.30 and \$181.16 per

² Details not reported by the appellant were drawn from the board of review's evidence which was not refuted by the appellant.

square foot of living area, including land. The subject's assessment reflects a market value of \$309,431 or \$147.28 per square foot of living area, including land, which is below the best comparable sales in this record. Based on this evidence and after considering adjustments to the best comparables for differences when compared to the subject, the Board finds a reduction in the subject's assessment is not 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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