



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

APPELLANT: Asif Majeed  
DOCKET NO.: 20-08266.001-R-1  
PARCEL NO.: 07-22-409-020

The parties of record before the Property Tax Appeal Board are Asif Majeed, the appellant, by attorney Abby L. Strauss, of Schiller Law P.C. 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 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:** \$36,340  
**IMPR.:** \$63,860  
**TOTAL:** \$100,200

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 2-story dwelling of brick and frame exterior construction with 1,557 square feet of living area. The dwelling was constructed in 1995. Features of the home include a full basement with finished area,<sup>1</sup> central air conditioning, a fireplace, and a 2-car garage. The property has an approximately 7,424 square foot site<sup>2</sup> and is located in Naperville, Naperville Township, DuPage County.

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<sup>1</sup> Although the appellant did not describe finished basement area in the appeal petition, a Multiple Listing Service (MLS) listing sheet presented by the appellant describes finished basement area.

<sup>2</sup> The parties differ regarding the subject property's site size. The Board finds the best evidence of site size is found in the subject's property record card presented by the board of review which was not refuted by the appellant in written rebuttal.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on December 19, 2018 for a price of \$300,000. The appellant completed Section IV – Recent Sale Data of the appeal petition disclosing that the seller was Stone Financing, LLC and the sale was not a transfer between related parties. The appellant further disclosed the subject property was sold through a realtor, was advertised for sale on the Multiple Listing Service (MLS) for 120 days, was not sold due to foreclosure, and was sold using a contract for deed. The appellant submitted a settlement statement and MLS listing sheet in support of the transaction. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$112,150. The subject's assessment reflects a market value of \$335,778 or \$215.66 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 five comparable sales, together with property record cards for these comparables and a map depicting the locations of these comparables in relation to the subject. The comparables are located within the same neighborhood code as the subject property. The parcels range in size from 5,989 to 8,892 square feet of land area and are improved with 2-story homes of frame or frame and brick exterior construction with either 1,503 or 1,557 square feet of living area. The dwellings were built in 1995 or 1996. Each home has an unfinished basement, central air conditioning, and a 2-car garage. Three homes each have a fireplace. The comparables sold from May 2018 to December 2019 for prices ranging from \$320,000 to \$347,000 or from \$205.52 to \$222.86 per square foot of living area, including land. Based on this evidence the board of review requested confirmation of the subject's assessment.

In written rebuttal, the appellant argued that the board of review's comparables are not similar to the subject and the board of review did not provide supporting documentation for each sale. The appellant further contended that the board of review's comparables are not adjusted for differences from the subject.

### **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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the purchase of the subject property in December, 2018 for a price of \$300,000. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, the property was sold through a realtor, and the property had been advertised on the MLS for 120

days. In further support of the transaction the appellant submitted a copy of the settlement statement and an MLS listing sheet. The Board finds the purchase price is below the market value reflected by the assessment. The Board finds the board of review did not present any evidence to challenge the arm's length nature of the transaction or to refute the contention that the purchase price was reflective of market value. Based on this record, the Board finds the subject property had a market value of \$300,000 as of January 1, 2020. Since market value has been determined the 2020 three year average median level of assessment for DuPage County of 33.40% shall apply. 86 Ill.Admin.Code §1910.50(c)(1).

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

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