



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

APPELLANT: DM MIM I LLC  
DOCKET NO.: 20-08273.001-R-1  
PARCEL NO.: 01-10-229-040

The parties of record before the Property Tax Appeal Board are DM MIM I LLC, the appellant, by attorney Peter D. Verros, of Verros Berkshire, PC 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:** \$15,590  
**IMPR.:** \$67,080  
**TOTAL:** \$82,670

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 duplex style dwelling of aluminum siding exterior construction with 1,521 square feet of living area. The dwelling was constructed in 1991. Features of the home include a partial unfinished walkout basement, central air conditioning, a fireplace and a two-car garage with 420 square feet of building area.<sup>1</sup> The property has a 4,644 square foot site and is located in Bartlett, Wayne Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted a property record card – residential for the subject property and comparables along with a grid analysis on three comparable sales located within 0.3 of a mile from the subject and in the same neighborhood code as the subject. The comparables have site sizes ranging in

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<sup>1</sup> Some of the descriptive information of the subject's property was derived from the grid analysis from the township assessor submitted by the board of review.

size from 4,797 to 5,520 square feet of land area. The comparables were improved with two-story duplex style dwellings of aluminum siding exterior construction that contain either 1,521 or 1,811 square feet of living area and range in age from 27 to 29 years old. Each comparable lacks a basement. The comparables have central air conditioning, two comparables have a fireplace and each comparable has a two-car garage containing either 420 or 440 square feet of building area.<sup>2</sup> The comparables sold from November 2018 to November 2019 for prices ranging from \$200,000 to \$237,500 or from \$131.14 to \$151.22 per square foot of living area, land included. The appellant requested that the assessment be reduced to \$71,480 reflecting a market value of approximately \$214,461 or \$141.00 per square foot of living area, land included, at 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 \$82,670. The subject's assessment reflects a market value of \$247,515 or \$162.73 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.

The board of review submitted the "Assessor's Notes for PTAB Appeal," along with additional data. The assessor asserted that the subject property had a fire in 2017 and sold twice prior to its reconstruction in 2019. The property was completely renovated and updated. Moreover, each of the appellant's comparables lack a basement and comparable #2 is a larger unit.

In support of its contention of the correct assessment the board of review through the township assessor submitted a grid analysis on the appellant's comparables along with a grid analysis on four additional comparable sales, property record cards, PTAX-203 Illinois Real Estate Transfer Declarations for both parties comparables and a property record card of the subject property. The comparables were located within 0.22 of a mile from the subject and in the same neighborhood code as the subject. The comparables have sites ranging in size from 5,247.63 to 10,690.75 square feet of land area. The comparables were improved with two-story duplex style dwellings of aluminum or vinyl siding exterior construction that range in size from 1,521 to 1,811 square feet of living area. The comparables were built from 1990 to 1992. Each comparable has a basement, two comparables have central air conditioning, two comparables have a fireplace and each comparable has a two-car garage containing either 420 or 440 square feet of building area. The comparables sold from June 2018 to May 2020 for prices ranging from \$241,500 to \$305,500 or from \$146.33 to \$184.09 per square foot of living area. Based on the evidence submitted, the board of review requested that the assessment be confirmed.

### **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

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<sup>2</sup> Some of the descriptive information of the appellant's comparables was derived from the property record cards submitted by the appellant.

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 seven comparable sales for the Board's consideration. The Board gave less weight to the appellant's comparables based on their lack of a basement when compared to the subject. The Board gave less weight to the board of review comparable #2 as this comparable sold June 2018, which is dated and less likely to be indicative of fair market value as of the subject's January 1, 2020, assessment date, given other sales in this record.

The Board finds the best evidence of market value to be board of review comparable sales #1, #3 and #4. These comparables are similar to the subject in location, age dwelling size and most features. These comparables sold proximate to the January 1, 2020, assessment date for prices ranging from \$265,000 to \$305,500 or from \$146.33 to \$184.09 per square foot of living area, including land. The subject's assessment reflects a market value of \$247,515 or \$162.73 per square foot of living area, including land, which is below the range on a total market value basis and within the range as established by the best comparable sales in this record on a per square foot basis. After considering adjustments to the comparable sales for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by the assessment is supported. Based on this evidence the Board finds no 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: 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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