



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

APPELLANT: Andrew Schubkegel
DOCKET NO.: 20-08279.001-R-1
PARCEL NO.: 09-02-405-028

The parties of record before the Property Tax Appeal Board are Andrew Schubkegel, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld & Associates, LLC 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: \$111,270
IMPR.: \$561,570
TOTAL: \$672,840

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 three-story dwelling of brick exterior construction with 5,354 square feet of living area. The dwelling was constructed in 2000 and is 20 years old. Features of the home include a basement with finished area, central air conditioning, three fireplaces, a 3-stop elevator, a pool/spa, and a 907 square foot garage.¹ The property has a 16,322 square foot site and is located in Hinsdale, Downers Grove Township, DuPage County.

The appellant contends assessment inequity with respect to the improvement assessment as the basis of the appeal. In support of this argument, the appellant submitted information on three equity comparables located in the same assessment neighborhood code as the subject and within .34 of a mile from the subject property. The comparables are improved with three-story dwellings of brick or frame and brick exterior construction that range in size from 5,111 to 5,491

¹ The Board finds the best description of the subject property was found in the board of review's evidence.

square feet of living area. The homes range in age from 12 to 23 years old. Each comparable has a basement, central air conditioning, two or three fireplaces and a garage ranging in size from 664 to 858 square feet of building area. The comparables have improvement assessments that range from \$434,840 to \$505,430 or from \$85.08 to \$92.05 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$672,840. The subject has an improvement assessment of \$561,570 or \$104.89 per square foot of living area.

The board of review through the township assessor noted appellant's comparable #2 is receiving a negative 10% adjustment to both the land and improvement assessments due to its location near Ogden Avenue. In addition, the board of review's evidence disclosed the appellant's comparables have finished basement area that was not reported by the appellant.

In support of its contention of the correct assessment, the board of review submitted information prepared by the township assessor on three equity comparables with the same assessment neighborhood code as the subject. The assessor's comparables are improved with three-story dwellings of brick exterior construction that range in size from 5,199 to 5,782 square feet of living area. The homes were built in 2003 or 2006. Each comparable has a basement with finished area, central air conditioning, two to six fireplaces and a garage ranging in size from 630 to 784 square feet of building area. The comparables have improvement assessments that range from \$532,790 to \$605,880 or from \$100.13 to \$116.42 per square foot of living area. The assessor also provided property record cards and a map displaying the locations of both parties' comparables in relation to the subject. Based on this evidence, the board of review requested the subject's assessment be confirmed.

Conclusion of Law

The appellant contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments, for the assessment year in question, of not less than three comparable properties showing the similarity, proximity, and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). 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 six equity comparables for the Board's consideration. The Board gives less weight to the appellant's comparable #2 which is receiving a negative 10% adjustment to its improvement assessment due to its location near Ogden Avenue unlike the subject.

The Board finds the best evidence of assessment equity to be the five remaining comparables in the record which are similar to the subject in location, age, design, dwelling size and most features. These comparables have improvement assessments that range from \$434,840 to \$605,880 or from \$85.08 to \$116.42 per square foot of living area. The subject's improvement assessment of \$561,570 or \$104.89 per square foot of living area falls within the range

established by the best comparables in this record. After considering appropriate adjustments to the best comparables for differences from the subject, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and 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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