



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

APPELLANT: J. Peter Pohl
DOCKET NO.: 20-08394.001-R-1
PARCEL NO.: 05-28-110-007

The parties of record before the Property Tax Appeal Board are J. Peter Pohl, the appellant, by Jessica Hill-Magiera, Attorney at Law in Lake Zurich; 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: \$43,550
IMPR.: \$129,670
TOTAL: \$173,220

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 frame and masonry exterior construction with 2,714 square feet of living area.¹ The dwelling was constructed in 1989. Features of the home include an unfinished basement, central air conditioning, a fireplace, and a garage containing 504 square feet of building area. The property has an 11,385 square foot site and is located in Wheaton, Milton Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on eight comparable sales located within .91 of a mile of the subject, three of which are within the subject's assessment neighborhood. The comparables consist of two-story dwellings of frame or frame and masonry 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 2,574 to 2,741 square feet of living area.² The homes were built from 1985 to 1991. Each dwelling has central air conditioning, one or two fireplaces, a basement with two having finished area, and a garage ranging in size from 420 to 484 square feet of building area. The parcels range in size from 9,952 to 16,678 square feet of land area. The comparables sold from January 2019 to July 2020 for prices ranging from \$405,000 to \$480,000 or from \$155.05 to \$183.21 per square foot of living area, including land. Based on this evidence, the appellant requested a reduced assessment of \$151,999, for an estimated market value of \$456,043 or \$168.03 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 \$173,220. The subject's assessment reflects a market value of \$518,623 or \$191.09 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 four comparable sales located within 1.08 miles of the subject and within the subject's assessment neighborhood. The comparables consist of two-story dwellings of frame and masonry exterior construction ranging in size from 2,791 to 2,817 square feet of living area. The dwellings were built from 1988 to 1990. Each dwelling has central air conditioning, a fireplace, a basement with one having finished area, and a garage ranging in size from 462 to 491 square feet of building area. The parcels range in size from 10,297 to 13,097 square feet of land area. The comparables sold from June 2019 to May 2020 for prices ranging from \$540,000 to \$610,000 or from \$192.31 to \$218.56 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant argued that board of review comparables #2 through #4 should be given less weight due to their location or lack of basement finish when compared to 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted a total of 12 comparable sales to support their respective positions before the Property Tax Appeal Board. The Board gives less weight to the appellant's comparables #2 and #3, as well as board of review comparable #3, due to their finished basements, a feature the subject lacks. The Board also gives reduced weight to board of review comparables #2 and #4 due to their location more than one mile from the subject.

² Details not reported by the appellant were drawn from the property record cards submitted by the board of review.

The Board finds the best evidence of market value to be appellant's comparable sales #1 and comparables #4 through #8 along with board of review comparable sale #1, which are similar to the subject in age, location, dwelling size, and features. These most similar comparables sold for prices ranging from \$420,000 to \$540,000 or from \$159.09 to \$192.31 per square foot of living area, including land. The subject's assessment reflects a market value of \$518,623 or \$191.09 per square foot of living area, including land, which is within the range established by 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

J. Peter Pohl, by attorney:
Jessica Hill-Magiera
Attorney at Law
790 Harvest Drive
Lake Zurich, IL 60047

COUNTY

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