



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

APPELLANT: Anthony Dijohn  
DOCKET NO.: 20-08423.001-R-1  
PARCEL NO.: 05-09-214-009

The parties of record before the Property Tax Appeal Board are Anthony Dijohn, 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 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:** \$37,190  
**IMPR.:** \$193,010  
**TOTAL:** \$230,200

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 frame exterior construction with 4,066 square feet of living area. The dwelling was constructed in 2008. Features of the home include a basement with finished area, central air conditioning, one fireplace and a 720 square foot garage.<sup>1</sup> The property has an approximately 21,437 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 five comparable sales located within .71 of a mile from the subject property. The comparables are improved with 2-story dwellings ranging in size from 3,246 to 4,206 square feet of living area that were built from 2001 to 2006. Each comparable is reported to have a basement with finished area, central air conditioning and a garage ranging in

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<sup>1</sup> The Board finds the best description of the subject is found in the property record card provided by the board of review and was not refuted by the appellant in rebuttal.

size from 581 to 708 square feet of building area. The comparables sold from October 2018 to March 2020 for prices ranging from \$566,000 to \$675,000 or from \$148.00 to \$176.49 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$258,130. The subject's assessment reflects a market value of \$772,844 or \$190.07 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 a spreadsheet that lists the appellant's comparable sales and the township assessor's comparable sales. The board of review also submitted property record cards of the subject and both parties' comparables. Additionally, the board of review reported that the appellant's comparables are improved with either frame or masonry and frame exterior construction and have sites that range in size from 8,949 to 23,125 square feet of land area. Each comparable has a one fireplace and comparable #5 has an inground swimming pool.

In support of its contention of the correct assessment, the board of review submitted information on six comparable sales located from .14 of a mile to 1.44 miles from the subject property. The comparables have sites ranging in size from 9,858 to 13,886 square feet of land area. The comparables are improved with 2-story dwellings of frame or masonry and frame exterior construction ranging in size from 3,179 to 3,486 square feet of living area. The dwellings were built from 2008 to 2019. Each comparable has a basement, four with finished area, central air conditioning and a garage ranging in size from 350 to 733 square feet of building area. Five comparables each have one fireplace. The comparables sold from March 2017 to June 2019 for prices ranging from \$721,000 to \$930,000 or from \$215.15 to \$269.96 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 the board of review comparables should be given less weight due to dissimilar dwelling size and/or remote sale date 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The record contains eleven suggested comparable sales for the Board's consideration. The Board has given less weight to the appellant's comparables #1, #2 and #5 along with the board of review's comparables for their dissimilar dwelling size and/or for the remote sale dates occurring in 2017 and 2018, which is less proximate in time to the January 1, 2020 assessment date given other sales available in the record.

The Board finds the best evidence of market value to be the appellant's comparables #3 and #5. The Board finds these comparables sold proximate in time to the assessment date at issue and are more similar to the subject in location, design, age, dwelling size and some features. However, the appellant's comparable #3 has a smaller lot size and comparable #5 has an inground swimming pool, suggesting adjustments would be required to make these comparables more equivalent to the subject. Nevertheless, the comparables sold for prices of \$580,000 and \$675,000 or \$152.07 to \$160.45 per square foot of living area, including land. The subject's assessment reflects a market value of \$772,844 or \$190.07 per square foot of living area, including land, which is greater than the best comparable sales in the record. After considering adjustments to the best comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is excessive. Therefore, based on this record the Board finds a reduction in the subject's assessment commensurate with the appellant's request is justified.<sup>2</sup>

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<sup>2</sup> The Board recognizes an assessment practice in DuPage County to round assessments to the nearest \$10 increment.

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: February 20, 2024



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

Anthony Dijohn, 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