



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

APPELLANT: Vijay Kumar, Sanjay & Sameer Gupta  
DOCKET NO.: 21-05548.001-R-1  
PARCEL NO.: 15-34-276-010

The parties of record before the Property Tax Appeal Board are Vijay Kumar, Sanjay & Sameer Gupta, the appellants, by attorney Stuart T. Edelstein, of Stuart T. Edelstein, Ltd. in Northbrook; and the Kane 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 **Kane** County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$6,150  
**IMPR.:** \$38,086  
**TOTAL:** \$44,236

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellants timely filed the appeal from a decision of the Kane County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2021 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 part 1-story and part 2-story dwelling<sup>1</sup> of frame exterior construction with 1,368 square feet of living area. The dwelling was constructed in 1948 and is approximately 73 years old. Features of the home include a 576 square foot garage. The property has an approximately 6,384 square foot site and is located in Aurora, Aurora Township, Kane County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted an appraisal estimating the subject property had a market value of \$70,000 as of January 1, 2019. The appraisal was prepared by Peter Petrovich, a certified residential real

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<sup>1</sup> Additional details regarding the subject not reported by the appellants are found in the board of review's evidence and were not refuted by the appellants in written rebuttal.

estate appraiser, for ad valorem tax purposes. The appraiser observed the subject was in the process of being renovated and noted several damaged items in need of repair.

Under the sales comparison approach, the appraiser selected four sales located within 0.81 of a mile from the subject. The parcels range in size from 5,663 to 12,197 square feet of land area and are improved with 1-story or 2-story homes of frame/siding exterior construction ranging in size from 1,274 to 1,812 square feet of living area. The dwellings range in age from 65 to 119 years old. Three homes each have a basement, two homes have central air conditioning, and three homes each have a 1-car or a 2-car garage, with comparable #2 having "3 open spaces." The comparables sold from February to June 2018 for prices ranging from \$70,000 to \$88,000 or from \$39.46 to \$64.29 per square foot of living area, including land. The appraiser made adjustments to the comparables for sale or financing concessions and for differences from the subject to arrive at adjusted sale prices ranging from \$60,600 to \$74,700. Based on the foregoing, the appraiser concluded a value for the subject of \$70,000 as of January 1, 2019.

The appellants also disclosed the subject sold on March 19, 2018 for a price of \$82,000. The appellants completed Section IV – Recent Sale Data of the appeal petition disclosing the sale was not between related parties, was sold by the Kane County Sheriff by auction and was advertised for sale for 6 months, the sale was due to a foreclosure action, and the sale was not by contract for deed. In support of the sale, the appellants presented copies of a Certificate of Sale, a Sheriff's Report of Sale and Distribution, and a Sheriff's Deed

The appellants submitted a brief contending the subject needs repairs and has been unrentable since its purchase. The appellants asserted repairs have begun but are not yet completed. Based on this evidence, the appellants requested a reduction in the subject's assessment to reflect the appraised value conclusion.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$44,236. The subject's assessment reflects a market value of \$132,721 or \$97.02 per square foot of living area, land included, when using the 2021 three year average median level of assessment for Kane County of 33.33% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on six comparable sales, together with a map depicting the locations of the comparables in relation to the subject. The parcels range in size from 6,098 to 6,970 square feet of land area and are improved with 1-story or part 1-story and part 2-story homes of frame exterior construction ranging in size from 802 to 1,494 square feet of living area. The dwellings were built from 1909 to 1972. Four homes each have a basement, five homes each have central air conditioning, and three homes each have a garage ranging in size from 396 to 672 square feet of building area. The comparables sold from November 2018 to December 2020 for prices ranging from \$139,900 to \$170,000 or from \$102.41 to \$206.86 per square foot of living area, including land.

The board of review also submitted information on three equity comparables, which the Board finds are not responsive to the appellants' overvaluation arguments and these comparables will not be further considered.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

### **Conclusion of Law**

The appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The appellants presented an appraisal and evidence of a March, 2018 sale of the subject and the board of review presented six comparable sales in support of their respective positions before the Board.

As an initial matter, the Board gives less weight to the subject's March 2018 sale, which is more remote in time from the January 1, 2021 assessment date and is less likely to be indicative of market value as of the assessment date.

The Board also gives less weight to the appellant's appraisal as it states a value conclusion as of January 1, 2019, two years before the assessment date at issue in this appeal and relies on sales occurring in 2018, which are more remote in time from the assessment date and less likely to be indicative of market value as of that date.

The Board finds the best evidence of market value to be the board of review's comparables #2, #3, and #4, which sold more proximate in time to the assessment date and are similar to the subject in age, location and site size, but have varying degrees of similarity to the subject in design, dwelling size, and features. The Board gave less weight to the board of review's comparables #1, #5, and #6, which sold in 2018 and 2019, less proximate in time to the assessment date than the other comparables in this record. These three most similar comparables sold for prices ranging from \$165,900 to \$170,000 or from \$130.71 to \$206.86 per square foot of living area, including land. The subject's assessment reflects a market value of \$132,721 or \$97.02 per square foot of living area, including land, which is below the range established by the best comparable sales in the record. Based on this evidence, 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:

December 19, 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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