



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

APPELLANT: Nicholas Sloane
DOCKET NO.: 21-06522.001-R-1
PARCEL NO.: 05-02-107-031

The parties of record before the Property Tax Appeal Board are Nicholas Sloane, the appellant, by Dennis D. Koonce, Attorney at Law in Frankfort; 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: \$8,120
IMPR.: \$65,700
TOTAL: \$73,820

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 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 two-story dwelling of frame and masonry exterior construction with 1,232 square feet of living area. The dwelling was constructed in 2002. Features of the home include a basement with finished area, central air conditioning and a two-car garage containing 360 square feet of building area. The property is located in Glendale Heights, Milton Township, DuPage County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on February 10, 2021 for a price of \$180,000 or \$146.10 per square foot of living area, including land. The appellant indicated in the appeal petition that the subject property was purchased from Christina Cisco and the parties to the transaction were not related. The appellant also indicated the property was not advertised for sale. To document the transaction the appellant submitted a copy of the Master

Settlement Statement reflecting the purchase price and the date of sale. The settlement statement also disclosed that no commissions were paid.

Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$73,820. The subject's assessment reflects a market value of \$220,820 or \$179.24 per square foot of living area, land included, when using the 2021 three-year average median level of assessment for DuPage County of 33.43% as determined by the Illinois Department of Revenue.

The board of review submitted a memorandum prepared by the township assessor. The assessor contended the subject property was a non-advertised sale as depicted in a copy of the PTAX-203 Illinois Real Estate Transfer Declaration associated with the subject's sale that was signed by the seller and the appellant. The assessor also argued that the subject's settlement statement does not include any real estate fees, which indicates the property was not listed on the Multiple Listing Service (MLS).

In support of its contention of the correct assessment the board of review, through the township assessor, submitted information on three comparable sales with the same assessment neighborhood code as the subject and located within .14 of a mile from the subject property. The comparables are improved with two-story dwellings of frame and masonry exterior construction each containing 1,232 square feet of living area. The dwellings were built in 2002 or 2003. The comparables each have a basement, two of which have finished area. Each comparable has central air conditioning and a two-car garage with 360 square feet of building area. The comparables sold from May 2019 to March 2021 for prices of \$226,500 and \$227,500 or for \$183.85 and \$184.66 per square foot of living area, land included.

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 Board finds the best evidence of market value in the record to be the three comparable sales submitted by the board of review. These comparables are identical to the subject in dwelling size and design and also similar to the subject property in location, age and features. The comparables sold from May 2019 to March 2021 for prices of \$226,500 and \$227,500 or for \$183.85 and \$184.66 per square foot of living area, including land. The subject's assessment reflects a market value of \$220,820 or \$179.24 per square foot of living area, including land, which is below the range established by the comparable sales in this record. The Board gave little weight to the subject's sale due to the fact the sale did not meet one of the key fundamental elements of an arm's length transaction as it was not advertised or exposed on the open market as

reported by the appellant and further supported by the PTAX-203 Illinois Real Estate Transfer Declaration associated with the subject's sale that was signed by the seller and the appellant. Based on this record the Board finds the subject's assessment as established by the board of review is reflective of market value 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: January 16, 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

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