



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

APPELLANT: Scott Multack
DOCKET NO.: 21-06888.001-R-2
PARCEL NO.: 06-28-306-003

The parties of record before the Property Tax Appeal Board are Scott Multack, the appellant, by attorney George N. Reveliotis, of Reveliotis Law, P.C. in Park Ridge; 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: \$145,140
IMPR.: \$210,720
TOTAL: \$355,860

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 1-story dwelling of brick, masonry, or stone exterior construction with 4,455 square feet of living area. The dwelling was constructed in 1978. Features of the home include a basement with finished area, central air conditioning, two fireplaces, a 3-car garage, and an inground swimming pool.¹ The property has a 49,848 square foot site and is located in Oak Brook, York Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant disclosed the subject sold on August 15, 2019 for a price of \$800,000. The appellant completed Section IV – Recent Sale Data of the appeal petition disclosing the sale was not between related parties, the property sold through a realtor and was advertised through the

¹ The board of review presented permit information for new improvements at the subject property, which was not refuted by the appellant in written rebuttal.

Multiple Listing Service for 108 days, and the sale was not due to foreclosure or by contract for deed. In support of the sale, the appellant presented a settlement statement, indicating a purchase price of \$800,000 and payment of realtors' commissions, and a listing sheet describing a listing period of 108 days.

The appellant also submitted information on two comparable sales² located within the same assessment neighborhood code as the subject. The comparables have 31,720 or 32,434 square foot sites that are improved with 1-story homes of brick, masonry, or stone exterior construction with 4,148 or 6,669 square feet of living area. The dwellings were built in 1967 or 1969. Each home has a basement, one of which has finished area, central air conditioning, two fireplaces, and one or two 1-car, 3-car, and 4-car garages. The comparables sold in April and August 2020 for prices of \$650,000 and \$960,000 or for \$156.70 and \$143.95 per square foot of living area, including land.

Based on this evidence the appellant requested a reduction in the subject's assessment to \$228,535, which would reflect a market value of \$685,674 or \$153.91 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 \$355,860. The subject's assessment reflects a market value of \$1,064,493 or \$238.94 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.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales located within the same assessment neighborhood code as the subject and within 0.58 of a mile from the subject. Comparable #3 is the same property as the appellant's comparable #2 described above. Comparables #1 and #2 have 39,974 or 45,135 square foot sites that are improved with 1-story homes of brick, masonry, or stone exterior construction with 3,389 or 4,524 square feet of living area. The dwellings were built in 1964 or 1970. Each home has a basement, one of which has finished area, one or two fireplaces, and a 610 or a 988 square foot garage. The comparable sold in April 2018 or July 2019 for prices of \$1,075,000 or \$1,210,000 or for \$317.20 and \$267.46 per square foot of living area, including land, respectively.

The board of review submitted a memorandum from the township assessor's office contending the subject's assessment was lowered for the 2020 tax year to represent its sale price, but was increased for the 2021 tax year to reflect the new improvements. The board of review presented a Real Estate Transfer Declaration for the subject's 2019 sale indicating the seller was a bank, a permit application for a permit issued on February 14, 2020 for renovations in the amount of \$200,000, a permit application for a permit issued on June 8, 2020 for construction of an inground swimming pool in the amount of \$55,000 and a permit application for a permit issued on August 18, 2020 in the amount of \$85,500 for construction of a patio and outdoor kitchen.

² The appellant presented the subject's 2019 sale as comparable #1. The two comparables are renumbered as comparables #1 and #2 for ease of reference.

The board of review also submitted listing information for the appellant's comparable #1 marketing this property for its land for new residential development.

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

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 record contains a total of four comparable sales, with one common sale, and evidence of a 2019 sale of the subject. The Board gives less weight to the 2019 sale of the subject, as the board of review presented evidence that the subject was renovated and had new improvements constructed since its purchase, which were not refuted by the appellant in written rebuttal. The Board also gives less weight to the appellant's comparable #1, as the board of review disclosed this property was marketed for sale as a tear down, which was not refuted by the appellant in written rebuttal, and to the board of review's comparable #1, as this sale occurred less proximate in time to the assessment date than the other comparables in this record.

The Board finds the best evidence of market value to be the appellant's comparable #2/board of review's comparable #3 and the board of review's comparable #2, which sold more proximate in time to the assessment date than the other comparables in this record and are similar to the subject in location and design, but have varying degrees of similarity to the subject in dwelling size, age, site size, and features. These comparables are older homes with smaller lots than the subject and lack an inground swimming pool that is a feature of the subject and one home is substantially larger than the subject home but lacks finished basement area that is a feature of the subject, suggesting adjustments to these comparables would be needed to make them more equivalent to the subject. These two most similar comparables sold for prices of \$960,000 and \$1,210,000 or for \$143.95 and \$267.46 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,064,493 or \$238.94 per square foot of living area, including land, which is bracketed by the best comparable sales in this 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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