



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

APPELLANT: Nick Krejci
DOCKET NO.: 21-06953.001-R-1
PARCEL NO.: 07-12-309-005

The parties of record before the Property Tax Appeal Board are Nick Krejci, the appellant, by attorney Brian P. Liston, of the Law Offices of Liston & Tsantilis, P.C. in Chicago; 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: \$6,810
IMPR.: \$42,650
TOTAL: \$49,460

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 ranch style condominium dwelling of frame exterior construction with 904 square feet of living area. The dwelling was constructed in 1980 and features two bedrooms, one full bathroom, a concrete slab foundation and central air conditioning. The property has a parking view and is located in Naperville, Naperville 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 in November 2018 for a price of \$125,000. The appellant completed Section IV – Recent Sale Data disclosing the transaction was not between family members or related corporations, that the subject was sold by owner and reported the property had not been advertised for sale on the open market. The appellant submitted a copy of the settlement statement which disclosed a settlement date of November 20,

2018, reiterated the sale price and did not include the payment of commissions to any real estate agents. In further support of the subject's recent sale, the appellant submitted copies of the real estate purchase contract, warranty deed and affidavit of title. Based on this evidence, the appellant requested the subject's assessment be reduced 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 \$49,460. The subject's assessment reflects a market value of \$147,951 or \$163.66 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 response to the appellant's evidence the board of review submitted a copy of the subject's PTAX-203 Real Estate Tax Declaration which disclosed the property had not been advertised for sale. Additionally, the board of review commented that no realtor payments were reported in the Settlement Statement and also stated the subject's sale in 2018 occurred outside of the township's general assessment cycle.

In support of its contention of the correct assessment the board of review submitted information on five comparables located in the same assessment neighborhood code as the subject and located on the same block as the subject property. The comparables are improved with ranch style condominium dwellings ranging in size from 904 to 1,039 square feet of living area. The homes were each built in 1980 and feature two bedrooms, one or two full bathrooms and central air conditioning. Comparable #1 has a golf course view while the remaining four comparables each have a parking view like the subject. The properties sold from August 2019 to April 2021 for prices ranging from \$152,517 to \$185,000 or from \$146.79 to \$198.71 per square foot of living area, land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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 five comparable sales submitted by the board of review. These comparables are similar to the subject in location, age, design, dwelling size and other features. The comparables sold for prices ranging from \$152,517 to \$185,000 or \$146.79 to \$198.71 per square foot of living area, including land. The subject's assessment reflects a market value of \$147,951 or \$163.66 per square foot of living area, including land, which falls below the range established by the best comparable sales in this record on an overall market value basis and within the range on a per square foot basis. The Board gives little weight to the subject's recent sale which lacks all of the elements of an arm's length transaction. Based on information reported in the PTAX-203, the subject property was not advertised for sale, which was not refuted by the appellant. Additionally, based on

information in the settlement statement, no commissions were paid to real estate professions. Notwithstanding these facts, the subject sold over two years prior to the January 1, 2021 assessment date, which is dated and not reflective of market value as demonstrated by the five similar sales submitted by the board of review that occurred more proximate in time to the assessment date. Based on this record the Board finds the subject's assessment 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:

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

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

APPELLANT

Nick Krejci, by attorney:
Brian P. Liston
Law Offices of Liston & Tsantilis, P.C.
33 North LaSalle Street
28th Floor
Chicago, IL 60602

COUNTY

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