



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

APPELLANT: Mark Grady
DOCKET NO.: 21-07118.001-R-1
PARCEL NO.: 07-11-210-012

The parties of record before the Property Tax Appeal Board are Mark Grady, the appellant, by attorney Glenn Guttman, of Rieff Schramm Kanter & Guttman 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: \$71,420
IMPR.: \$268,500
TOTAL: \$339,920

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 exterior construction with 3,891 square feet of living area. The dwelling was constructed in 2006. Features of the home include a basement with finished area, central air conditioning, one fireplace, a screen porch and a 616 square foot 3-car garage. The property has an approximately 16,144 square foot site and is located in Naperville, Naperville Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted a grid analysis, property information sheets, sketches, listing sheets from an online realtor website and PTAX-203 Real Estate Transfer Declarations on four comparable sales located within 0.60 of a mile from the subject property. The comparables have sites that range in size from 10,368 to 16,344 square feet of land area and are improved with two-story dwellings of frame or frame and brick exterior construction ranging in size from 3,212 to 3,765

square feet of living area. The dwellings were built from 1971 to 1980 and with each reported to have been rehabbed/updated from 1992 to 2006. Each comparable has a basement, with three having finished area.¹ Each dwelling has central air conditioning, one fireplace and a 2-car or a 3-car garage. The properties sold from September 2019 to February 2021 for prices ranging from \$569,000 to \$690,000 or from \$166.00 to \$214.82 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$239,921 which reflects a market value of \$719,835 or \$185.00 per square foot of living area, land included, 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 \$339,920. The subject's assessment reflects a market value of \$1,016,811 or \$261.32 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 a grid analysis with information on six comparables, a map depicting the proximity of the subject and both parties' comparables and property record cards for both parties' comparables. The board of review's comparable sales are located in the same assessment neighborhood code as the subject property. The comparables have sites that range in size from 10,509 to 18,726 square feet of land area and are improved with two-story dwellings of frame or frame and brick exterior construction ranging in size from 3,035 to 4,253 square feet of living area. The homes were built from 1970 to 1979. Each comparable has a basement with two having finished area. Each dwelling has central air conditioning, one or two fireplaces and a 2-car or a 3-car garage ranging in size from 441 to 926 square feet of building area. The properties sold from June 2018 to April 2021 for prices ranging from \$785,000 to \$970,000 or from \$228.07 to \$258.81 per square foot of living area, land included.

The board of review submitted comments arguing all of the comparables are considerably older than the subject and that some have smaller dwelling sizes and smaller garage sizes which would require an upward adjustment to sales prices. 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 parties submitted ten comparable sales for the Board's consideration. The Board gives less weight to appellant comparable #3 along with board of review comparables #1, #3 and #6 which

¹ Some property details for the appellant's comparables were found in the listing information submitted by the appellant.

sold in 2018 or 2019, less proximate to the January 1, 2021 assessment date than other properties in the record. The Board gives less weight to appellant comparable #3 and #4 and board of review comparables #3, #4, #5 and #6 which differ from the subject in dwelling size and/or have unfinished basement area in contrast to the subject's finished basement amenity.

The Board finds the best evidence of market value to be appellant comparables #1 and #2 along with board of review comparable #2 which sold proximate to the lien date at issue and are more similar to the subject in location, design, dwelling size, finished basement and other features. However, each of these best comparables is older in age and has a smaller site size when compared to the subject, suggesting upward adjustments are needed to make these properties more equivalent to the subject. These comparables sold from July 2020 to February 2021 for prices ranging from \$625,000 to \$920,000 or from \$166.00 to \$255.98 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,016,811 or \$261.32 per square foot of living area, including land, which falls above the range established by the best comparable sales in this record. Given the subject's newer age and larger site size relative to the best comparables in the record, a higher overall and per square foot value appear to be supported. Therefore, after considering appropriate adjustments to the comparables for differences from the subject, the Board finds the subject's assessment is supported and a reduction in the subject's assessment is not warranted.

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

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

APPELLANT

Mark Grady, by attorney:
Glenn Guttman
Rieff Schramm Kanter & Guttman
100 North LaSalle Street
23rd Floor
Chicago, IL 60602

COUNTY

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