



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

APPELLANT: Timothy & Susan Ferritto
DOCKET NO.: 21-07186.001-R-2
PARCEL NO.: 08-19-213-033

The parties of record before the Property Tax Appeal Board are Timothy & Susan Ferritto, the appellants, by Jessica Hill-Magiera, Attorney at Law in Lake Zurich; and the DuPage County Board of Review.¹

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: \$157,230
IMPR.: \$398,960
TOTAL: \$556,190

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 2.5-story dwelling of frame exterior construction with 6,702 square feet of living area.² The dwelling was constructed in 2006. Features of the home include a basement with finished area, central air conditioning, two fireplaces, and a garage with 970 square feet of building area. The property has an approximately 19,429 square foot site and is located in Naperville, Lisle Township, DuPage County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on four comparable sales located within .75 of a mile from the subject. The comparables are described as 2-story dwellings built from 2005 to 2008 ranging in

¹ The parties agreed to waive the scheduled virtual hearing for this case and have the case written on the record.

²The Board finds the best description of the subject property was found in the subject's property record card submitted by the board of review.

size from 5,527 to 7,517 square feet of living area. The comparables each have a basement with finished area and a garage ranging in size from 777 to 1,002 square feet of building area. The comparables sold from March 2020 to July 2021 for prices ranging from \$1,120,000 to \$1,375,000 or from \$182.92 to \$232.50 per square foot of living area, land included. Based on this evidence, the appellants requested a reduction in the subject's total assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$556,190. The subject's assessment reflects a market value of \$1,663,745 or \$248.25 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 appellants' evidence, the board of review argued appellants' comparable #1 is one of the six homes in the subject's assessment neighborhood code (190) that is located west of the DuPage River in a less desirable location (see the attached neighborhood 190 map). The board of review also noted comparables #3 and #4 have sites that are less than half the size of the subject's site. The board of review's evidence disclosed these two comparables have site sizes of 8,717 and 9,401 square feet of land area, respectively.

In support of its contention of the correct assessment the board of review submitted information prepared by the township assessor on six comparable sales with the same assessment neighborhood code as the subject. The comparables are reported to have sites ranging in size from approximately 11,042 to 24,298 square feet of land area. The comparables are improved with 2-story or 2.5-story dwellings of frame, brick, stone or frame and brick exterior construction ranging in size from 5,223 to 6,876 square feet of living area. The dwellings were built from 2004 to 2011 and have basements, five of which have finished area. Each comparable has central air conditioning, two to seven fireplaces and a 713 to 1,124 square foot garage. The comparables sold from October 2019 to February 2022 for prices ranging from \$1,375,000 to \$1,950,000 or from \$260.42 to \$290.79 per square foot of living area, land included. The board of review also provided a location map of both parties' comparables in relation to the subject property. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, counsel for the appellants contended that board of review comparables #1, #3, #4, #5 and #6 are not comparable to the subject due to differences in style, dwelling size, finished basement area and/or remote sale date.

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 Board finds the parties submitted 10 comparable sales to support their respective positions. The Board gives less weight to appellants' comparables #3 and #4 which have considerably smaller site sizes when compared to the subject. The Board gives less weight to board of review comparables #3 and #6 which sold less proximate in time to the January 1, 2021 assessment date than the other sales in the record. The Board gives less weight to board of review comparables #4 and #5 which have considerably smaller dwelling sizes when compared to the subject.

The Board finds the best evidence of market value to be appellants' #1 and #2 along with board of review comparables #1 and #2 which sold proximate in time to the assessment date at issue and are relatively similar to the subject in location, site size, age, dwelling size and features. These comparables sold from March 2020 to April 2021 for prices ranging from \$1,135,000 to \$1,950,000 or from \$182.92 to \$283.60 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,663,745 or \$248.25 per square foot of living area, including land, which falls within the range established by the best comparables sales in this record. Based on this record and after considering adjustments to the best comparables for differences when compared to the subject, 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: October 17, 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

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