



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

APPELLANT: V. Cheekati & N. Kosaraju
DOCKET NO.: 21-07253.001-R-1
PARCEL NO.: 05-08-202-016

The parties of record before the Property Tax Appeal Board are V. Cheekati & N. Kosaraju, 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: \$25,020
IMPR.: \$172,460
TOTAL: \$197,480

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-story dwelling of frame and masonry exterior construction with 2,878 square feet of living area. The dwelling was constructed in 2010. Features of the home include a basement, central air conditioning, one fireplace, and a 420 square foot garage. The property has a 7,779 square foot site and is located in Wheaton, Milton Township, DuPage County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on three comparable sales located within the same assessment neighborhood code as the subject and within .05 of a mile from the subject. These comparables are described as 2-story dwellings built in 2007 or 2008 that range in size from 3,034 to 3,075 square feet of living area. The comparables have basements, with one having finished area. Each

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

comparable has central air conditioning and a garage containing either 504 or 512 square feet of building area. The comparables sold from July 2020 to March 2021 for prices ranging from \$550,000 to \$620,000 or from \$179.15 to \$201.63 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 \$197,480. The subject's assessment reflects a market value of \$590,727 or \$205.26 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 appeal the board of review through the township submitted a spreadsheet of the appellants' comparables disclosing each has a fireplace. The board of review argued appellants' comparable #1 is located on a busy and noisy corner across the street from the VFW Post 2164 (see attached map).

In support of its contention of the correct assessment the board of review submitted information prepared by the township assessor on three comparable sales located within .11 of a mile from the subject, two of which have the same assessment neighborhood code as the subject. Comparables #1 and #2 are duplicate sales of appellants' comparables #3 and #2, respectively. Comparable #3 is reported to have a site with approximately 8,959 square feet of land area and is improved with a 2-story dwelling frame and masonry exterior construction built in 1993. The dwelling has 2,570 square feet of living area and has a basement, central air conditioning, a fireplace, and a 2-car garage. The comparable sold in May 2021 for a price of \$600,000 or for \$233.46 per square foot of living area, land included. The board of review also submitted a map displaying the locations of both parties' comparable sales in relation to the subject along with property record cards and exterior photographs. 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 #3 is not comparable due to difference in age and dwelling size.

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 information on four comparables sales to support their respective positions as two comparables were common to both parties. The Board gives less weight to appellants' comparable #1 due to its inferior location when compared to the subject. The Board gives less weight to board of review comparable #3 due to difference in age when compared to the subject.

The Board finds the best evidence of market value to be the parties' two common comparables. These comparables have varying degrees of similarity to the subject in location, age, dwelling size and most features. These comparables sold in July 2020 and March 2021 for prices of \$585,000 and \$620,000 or for \$192.81 and 201.63 per square foot of living area, including land. The subject's assessment reflects a market value of \$590,727 or \$205.26 per square foot of living area, including land, which is bracketed by the two best comparable sales in this record on overall value but falls above on price per square foot. The higher per square foot value is logical when considering economies of scale, as the subject has a smaller dwelling size. Based on this record and after considering adjustments to the best comparable sales 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:

November 21, 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

V. Cheekati & N. Kosaraju, by attorney:
Jessica Hill-Magiera
Attorney at Law
790 Harvest Drive
Lake Zurich, IL 60047

COUNTY

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