



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

APPELLANTS: Sean & Julie Farnan
DOCKET NO.: 21-07266.001-R-1
PARCEL NO.: 03-35-414-057

The parties of record before the Property Tax Appeal Board are Sean & Julie Farnan, 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: \$65,640
IMPR.: \$264,450
TOTAL: \$330,090

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 brick exterior construction with 4,143 square feet of living area. The dwelling was constructed in 2009. Features of the home include a basement that is 100% finished, central air conditioning, two fireplaces, five bathrooms and a 740 square foot garage. The property has a 21,100 square foot site and is located in Elmhurst, Addison Township, DuPage County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on six comparable sales with the same assessment neighborhood code as the subject and located within .65 of a mile from the subject. These comparables are described as 2-story dwellings built from 2003 to 2012 and range in size from

¹ The parties agreed to forgo the scheduled hearing on this case and have the Board issue a decision based on the evidence in the record.

3,939 to 4,297 square feet of living area. The comparables each have a basement, central air conditioning, one fireplace, three to four and half baths, and a garage ranging in size from 429 to 849 square feet of building area. The comparables sold from April 2020 to July 2021 for prices ranging from \$755,000 to \$976,101 or from \$187.62 to \$228.43 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 \$330,090. The subject's assessment reflects a market value of \$987,407 or \$238.33 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 submitted a comparable report on the appellants' comparable sales that disclosed sites ranging in size from 7,844 to 11,343 square feet of land area. In addition, board of review's evidence disclosed appellants' comparable #4 has a basement that is 50% finished.

In support of its contention of the correct assessment the board of review submitted information on eight comparable sales with the same assessment neighborhood code as the subject. The comparables are described as 2-story dwellings of frame, brick or frame and brick exterior construction built from 2012 to 2020 on sites ranging in size from 7,260 to 10,000 square feet of land area. The dwellings range in size from 3,755 to 4,000 square feet of living area. The comparables each have a basement, with seven being 100% finished. Other features include central air conditioning, one or two fireplaces and a garage ranging in size from 440 to 769 square feet of building area. These comparables sold from April 2018 to October 2020 for prices ranging from \$900,000 to \$1,032,000 or from \$225.00 to \$267.63 per square foot of living area, land included. The board of review also provided a location map of both parties' comparable sales in relation to the subject property, 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 the board of review comparables are not comparable due to their remote sale dates and/or are 11 years newer in year built when compared to the subject. In a rebuttal grid analysis, counsel suggested that the appellants' comparables are the best comparable sales in the record and contended the subject's assessment should be reduced.

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 14 comparable sales to support their respective positions. The Board gives less weight to the board of review comparables due to their 2018 and 2019 sale dates occurring less proximate in time to the January 1, 2020 assessment date than the other sales in the record and/or their differences in year built when compared to the subject.

The Board finds the best evidence of market value to be the appellants' comparables which sold proximate in time to the assessment date at issue and are similar to the subject in location, dwelling size, year built and some features. However, each comparable has a considerably smaller site and an unfinished basement or less finished basement area when compared to the subject, suggesting upward adjustments are necessary to make them more equivalent to the subject. Nevertheless, the best comparables sold from April 2020 to July 2021 for prices ranging from \$755,000 to \$976,101 or from \$187.62 to \$228.43 per square foot of living area, including land. The subject's assessment reflects a market value of \$987,407 or \$238.33 per square foot of living area, including land, which falls above the range established by the best comparables sales in this record both on overall market value and price per square foot which is logical when considering the subject's considerably larger site, greater number of bathrooms and finished basement. Therefore, after considering adjustments to the best comparable sales for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported 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

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: June 27, 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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