



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

APPELLANT: Apoor & Lisa Gami
DOCKET NO.: 21-07267.001-R-1
PARCEL NO.: 03-34-213-019

The parties of record before the Property Tax Appeal Board are Apoor & Lisa Gami, 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 **A Reduction** 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: \$59,670
IMPR.: \$201,085
TOTAL: \$260,755

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 4,096 square feet of living area. The dwelling was constructed in 2007. Features of the home include a basement, central air conditioning, one fireplace and a 468 square foot garage. The property has a 9,720 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 .36 of a mile from the subject. These comparables are described as 2-story dwellings built from 2002 to 2006 and range in size from 3,594 to 4,197 square feet of living area. The comparables each have a basement, central air

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.

conditioning, one or two fireplaces, and a garage ranging in size from 390 to 760 square feet of building area. The comparables sold from February 2020 to May 2021 for prices ranging from \$450,000 to \$780,000 or from \$121.13 to \$205.71 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 \$305,670. The subject's assessment reflects a market value of \$914,358 or \$223.23 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 through the township assessor argued the appellants' comparables are in above average condition while the subject is in good condition and one comparable has finished basement area that was not reported by the appellants.

In support of its contention of the correct assessment the board of review submitted information on six comparable sales with the same assessment neighborhood code as the subject that was prepared by the township assessor. The comparables are described as 2-story dwellings of frame or frame and brick exterior construction built from 2018 to 2020 on sites ranging in size from 8,700 to 11,700 square feet of land area. The dwellings range in size from 3,406 to 3,634 square feet of living area. The comparables each have a basement, with three having finished area. Other features include central air conditioning, one fireplace and a garage ranging in size from 429 to 775 square feet of building area. These comparables sold from March 2018 to November 2020 for prices ranging from \$782,500 to \$975,000 or from \$229.74 to \$272.19 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. The assessor comparables are also in the same condition as the subject.

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 are not comparable due to their remote sale dates, smaller dwelling sizes and/or newer dwellings when compared to the subject. In a rebuttal grid analysis, counsel suggested that the appellants' comparables #1 through #5 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the parties submitted 12 comparables sales to support their respective positions. The Board gives less weight to appellants' comparable #3 which appears to be an outlier due to its considerably lower sale price when compared to the other sales in the record. The Board gives less weight to appellants' comparable #6 which has finished basement area unlike the subject. The Board gives less weight to 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 difference in year built when compared to the subject.

The Board finds the best evidence of market value to be appellants' comparables #1, #2, #4 and #5 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. These comparables sold from February 2020 to May 2021 for prices ranging from \$689,000 to \$780,000 or from \$181.60 to \$205.71 per square foot of living area, including land. The subject's assessment reflects a market value of \$914,358 or \$223.23 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. Therefore, after considering adjustments to the best comparables sales for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is excessive and a reduction in the subject's assessment is 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: 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

AGENCY

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