



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

APPELLANT: Esmir & Rizafeta Rizvic
DOCKET NO.: 21-07275.001-R-1
PARCEL NO.: 03-29-418-023

The parties of record before the Property Tax Appeal Board are Esmir & Rizafeta Rizvic, 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: \$35,070
IMPR.: \$53,180
TOTAL: \$88,250

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 is improved with a split-level dwelling of brick and frame exterior construction with 1,522 square feet of above grade living area. The dwelling was constructed in 1963. Features of the home include a lower level with finished area and a garage with 382 square feet of building area. The property is located in Addison, Addison 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 .26 of a mile from the subject. These comparables are described as split-level dwellings built from 1964 to 1967 and range in size from 1,320 to 1,648 square feet of above grade living area. Each comparable is

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.

reported to have a basement/lower level and a garage ranging in size from 315 to 484 square feet of building area. One comparable has central air conditioning and one comparable has a fireplace. The comparables sold in September and December 2020 for prices ranging from \$208,000 to \$265,000 or from \$142.86 to \$187.12 per square foot of above grade 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 \$103,220. The subject's assessment reflects a market value of \$308,765 or \$202.87 per square foot of above grade 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 of the appellants' comparable sales that was prepared by the township assessor that disclosed each comparable has a lower level with finished area. In addition, the board of review noted appellants' comparable #1 was a short sale and appellants' comparable #2 sold out of a Revocable Trust by the trustees.

In support of its contention of the correct assessment the board of review submitted information through the township assessor on five comparable sales with same assessment neighborhood code as the subject. The comparables are described as split-level dwellings of frame and brick exterior construction built from 1966 to 1970. The dwellings range in size from 1,109 to 1,259 square feet of above grade living area. The comparables each have a lower level with finished area and a garage ranging in size from 440 to 528 square feet of building area. Two comparables have central air conditioning and one comparable has a fireplace. These comparables sold from April to September 2020 for prices ranging from \$260,000 to \$282,000 or from \$211.21 to \$254.28 per square foot of above grade 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 smaller dwelling sizes when compared to the subject. In a rebuttal grid analysis, counsel suggested that appellants' comparables #1 and #2 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 eight comparables sales to support their respective positions. The Board gives less weight to appellants' comparable #1 and the board of review comparables which have central air conditioning and/or considerably smaller dwelling sizes when compared to the subject.

The Board finds the best evidence of market value to be appellants' comparables #2 and #3 which similar to the subject in location, age, dwelling size and features. These comparables sold in September and December 2020 for prices of \$247,000 and \$265,000 or for \$160.80 and \$187.12 per square foot of above grade living area, including land. The subject's assessment reflects a market value of \$308,765 or \$202.87 per square foot of above grade living area, including land, which falls above the two best comparables sales in this record both on overall market value and price per square foot. Based on this evidence 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 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:

July 18, 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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