



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

APPELLANT: Debasish & Sitalakshmi Chatterjee
DOCKET NO.: 21-07293.001-R-1
PARCEL NO.: 07-33-305-015

The parties of record before the Property Tax Appeal Board are Debasish & Sitalakshmi Chatterjee, 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: \$37,710
IMPR.: \$145,420
TOTAL: \$183,130

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 brick exterior construction with 3,738 square feet of living area. The dwelling was constructed in 1988. Features of the home include a basement, central air conditioning, a fireplace, 3 baths, and a 3-car garage with 668 square feet of building area. The property has a 15,398 square foot site and is located in Aurora, Naperville Township, DuPage County.

The appellants contend assessment inequity with respect to the improvement assessment as the basis of the appeal. In support of this argument, the appellants submitted information on 16 equity comparables located in the same assessment neighborhood as the subject and within .50 of a mile from the subject property. The comparables are described as 2-story dwellings of frame

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

or frame and brick exterior construction that range in size from 3,572 to 3,912 square feet of living area. The homes were built from 1988 to 1993. Each comparable is reported to have a basement, central air conditioning, 2.5 to 3.5 baths, and a 3-car car garage. The comparables have improvement assessments that range from \$105,470 to \$133,190 or from \$27.99 to \$35.13 per square foot of living area. Based on this evidence, the appellants requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$183,130. The subject has an improvement assessment of \$145,420 or \$38.90 per square foot of living area.

In response to the appellants' evidence, the board of review through the township assessor submitted a spreadsheet of the appellants' comparables #1 through #8. The board of review noted comparables #2, #7 and #8 have one less full bath the subject and comparables #4 and #8 have frame only construction where the subject has frame and brick construction.

In support of its contention of the correct assessment, the board of review submitted information prepared by the township assessor on eight equity comparables with the same assessment neighborhood code as the subject. The comparables are described as 2-story dwellings of frame and brick exterior construction ranging in size from 3,562 to 3,922 square feet of living area. The homes were built from 1988 to 1992 and have basements, one of which has finished area. Each comparable also has central air conditioning according to the attached property record card, one or two fireplaces, 2.5 to 3.5 baths, and a 2-car or 3-car garage ranging in size from 572 to 764 square feet of building area. The comparables have improvement assessments that range from \$136,610 to \$154,110 or from \$38.35 to \$41.63 per square foot of living area. The assessor also provided a comparable sales map for 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 the subject's assessment be confirmed.

In written rebuttal, the appellant's counsel noted differences in bathroom count between the subject and board of review comparables #1, #2, #3, #6, #7, and #8. In addition, comparable #8 has a smaller garage than the subject.

Conclusion of Law

The appellants contend assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments, for the assessment year in question, of not less than three comparable properties showing the similarity, proximity, and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted 24 equity comparables for the Board's consideration. The Board gives less weight to board of review comparable #8 which has a 2-car garage when compared to the subject's 3-car garage.

The Board finds the best evidence of assessment equity to be the parties' remaining comparables which are relatively similar to the subject in location, age, dwelling size and features. These comparables have improvement assessments that range from \$105,470 to \$154,110 or from \$27.99 to \$41.63 per square foot of living area. The subject's improvement assessment of \$145,420 or \$38.90 per square foot of living area falls within the range established by the best comparables in this record. After considering adjustments to the best comparables for differences from the subject, the Board finds the subject's improvement assessment is supported. Based on this record, the Board finds the appellants did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed 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



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

AGENCY

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