



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

APPELLANT: Vijay Kumar & Sanjay Gupta  
DOCKET NO.: 22-02151.001-R-1  
PARCEL NO.: 15-34-276-010

The parties of record before the Property Tax Appeal Board are Vijay Kumar & Sanjay Gupta, the appellants, by attorney Stuart T. Edelstein, of Stuart T. Edelstein, Ltd. in Northbrook; and the Kane County Board of Review.

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 **Kane** County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$6,606  
**IMPR.:** \$40,908  
**TOTAL:** \$47,514

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellants timely filed the appeal from a decision of the Kane County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2022 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 1.5-story dwelling of frame exterior construction with 1,368 square feet of living area. The dwelling was constructed in 1948 and is approximately 74 years old. Features of the home include a 2-car garage. The property has an approximately 6,384 square foot site and is located in Aurora, Aurora Township, Kane County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted an appraisal estimating the subject property had a market value of \$70,000 as of January 1, 2019. The appraisal was prepared by Peter Petrovich, a certified residential real estate appraiser, for ad valorem tax purposes. The appraiser observed the subject was in the process of being renovated and noted several damaged items in need of repair.

Under the sales comparison approach, the appraiser selected four sales located within 0.81 of a mile from the subject. The parcels range in size from 5,663 to 12,197 square feet of land area and are improved with 1-story or 2-story homes of frame/siding exterior construction ranging in size from 1,274 to 1,812 square feet of living area. The dwellings range in age from 65 to 119 years old. Three homes each have a basement, two homes have central air conditioning, and three homes each have a 1-car or a 2-car garage, with comparable #2 having "3 open spaces." The comparables sold from February to June 2018 for prices ranging from \$70,000 to \$88,000 or from \$39.46 to \$64.29 per square foot of living area, including land. The appraiser made adjustments to the comparables for sale or financing concessions and for differences from the subject to arrive at adjusted sale prices ranging from \$60,600 to \$74,700. Based on the foregoing, the appraiser concluded a value for the subject of \$70,000 as of January 1, 2019.

Based on this evidence, the appellants requested a reduction in the subject's assessment to \$29,119 which would reflect a market value of \$87,366 or \$63.86 per square foot of living area, including land, when applying the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$47,514. The subject's assessment reflects a market value of \$145,481 or \$106.35 per square foot of living area, land included, when using the 2022 three year average median level of assessment for Kane County of 32.66% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales located within 0.5 of a mile from the subject. The parcels range in size from 5,663 to 16,553 square feet of land area and are improved with 1-story or 1.5-story homes of vinyl or other exterior construction ranging in size from 972 to 1,276 square feet of living area. The dwellings were built from 1907 to 1977. Three homes each have a basement, one home has a fireplace, and two homes have a 2-car or a 4-car garage. Each home has central air conditioning. The comparables sold from June to November 2021 for prices ranging from \$130,000 to \$220,000 or from \$101.88 to \$196.43 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

### **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 appellants presented an appraisal and the board of review presented three comparable sales in support of their respective positions before the Board. The Board also gives less weight to the appellants' appraisal as it states a value conclusion as of January 1, 2019, three years before the assessment date at issue in this appeal and relies on sales occurring in 2018, which are more remote in time from the assessment date and less likely to be indicative of market value as of that date.

The Board finds the best evidence of market value to be the board of review comparables, which sold more proximate in time to the assessment date and are similar to the subject in location, but have varying degrees of similarity to the subject in design, dwelling size, age, site size, and other features, suggesting adjustments to these comparables would be needed to make them more equivalent to the subject. These comparables sold for prices ranging from \$130,000 to \$220,000 or from \$101.88 to \$196.43 per square foot of living area, including land. The subject's assessment reflects a market value of \$145,481 or \$106.35 per square foot of living area, including land, which is within the range established by the comparable sales. Based on this evidence and after considering appropriate adjustments to the comparables for differences from 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:

April 16, 2024



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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