



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

APPELLANT: Robert Magnesen  
DOCKET NO.: 22-03262.001-R-1  
PARCEL NO.: 05-13-116-012

The parties of record before the Property Tax Appeal Board are Robert Magnesen, the appellant, by attorney Dennis D. Koonce, Attorney at Law in Frankfort; and the DuPage County Board of Review.

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:** \$37,640  
**IMPR.:** \$265,660  
**TOTAL:** \$303,300

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant 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 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 2-story dwelling of frame exterior construction with 3,442 square feet of living area.<sup>1</sup> The dwelling was built in 2004. Features of the home include a partially finished basement, central air conditioning, two fireplaces, and a 2-car garage with 572 square feet of building area. The property has an approximately 10,615 square foot site and is located in Glen Ellyn, Milton Township, DuPage County.

The appellant contend overvaluation as the basis of the appeal. In support of this argument, the appellant completed Section IV – Recent Sale Data of the appeal petition reporting that the subject property was purchased on June 17, 2021 for a price of \$910,000 or \$264.38 per square foot of living area, land included. The property was purchased from Keegan Riley and the parties to the transaction were not related. The property was sold through a realtor, Compass, by

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<sup>1</sup> The best evidence of the subject's description was the property record card presented by the board of review.

agent Stacey Harvey and was advertised for sale for 12 days in a multiple listing service. The subject was not sold due to a foreclosure action, nor was it sold using a contract for deed. The appellant provided a copy of the Multiple Listing Service datasheet and the "ALTA Settlement Statement – Combined" which displayed a settlement date of June 17, 2021. The seller of the subject property was identified as Keegan and Susanne Riley and commissions were paid to two entities. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the subject's purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$310,700. The subject's assessment reflects a market value of \$932,473 or \$270.91 per square foot of living area, land included, when using the 2022 three-year average median level of assessment for DuPage County of 33.32% as determined by the Illinois Department of Revenue.

The board of review submitted a copy of the PTAX-203 Illinois Real Estate Transfer Declaration, dated June 1, 2021, in support of the subject's sale and noted that the subject's assessment was reduced by the board of review to the sales price plus the equalization factor.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales located in the subject's neighborhood code and within 0.41 of a mile from the subject. The comparables have sites that range in size from 7,597 to 11,567 per square foot of land area. The comparables are improved with 2-story dwellings of frame or frame and masonry exterior construction ranging in size from 2,993 to 3,759 square feet of living area. The homes were built from 2007 to 2021. The comparables each have a basement, two of which have basement finish. Each comparable has central air conditioning, one or two fireplaces, and a 2-car garage. The comparables sold from October 2020 to October 2021 for prices ranging from \$795,000 to \$1,325,000 or from \$265.62 to \$352.49 per square foot of living area, land included. The board of review's grid also disclosed the sale of the subject in June 2021 for a price of \$910,000. Based on this evidence, the board of review requested the subject's assessment be confirmed.

### **Conclusion of Law**

The appellant contends 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 appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the sale of the subject property in June 2021 for a price of \$910,000. The appellant's evidence demonstrated the sale had the elements of an arms-length transaction. The appellant disclosed the parties to the transaction were not related and that the property was advertised for sale in a multiple listing service. To document the sale, the appellant submitted a copy of the final settlement statement further disclosing real estate commissions were paid. In addition, the Board finds the board of review confirmed the sale date and price of the subject property and did not present any substantive evidence to challenge the arm's length nature of the

subject's sale transaction or to submit any other documentary evidence to suggest that duress may have been involved in the sale transaction. The Board finds the subject's purchase price of \$910,000 falls below the market value reflected by the subject's assessment of \$310,700. Based on this record, the Board finds a reduction in the subject's assessment to reflect its sale price, when applying the statutory level of assessment of 33.33%, is warranted.

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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