



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

APPELLANT: Christopher Hochstedt
DOCKET NO.: 22-03266.001-R-1
PARCEL NO.: 09-09-302-016

The parties of record before the Property Tax Appeal Board are Christopher Hochstedt, 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 **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: \$56,790
IMPR.: \$55,770
TOTAL: \$112,560

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 is improved with a 1-story dwelling of brick exterior construction with 1,210 square feet of living area.¹ The dwelling was built in 1958. Features of the home include a basement, 2.0 bathrooms, and a 520 square foot garage. The property has an approximately 7,920 square foot site and is located in Downers Grove, Downers Grove 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 August 31, 2021 for a price of \$173,000 or \$142.98 per square foot of land area. The property was purchased from James Maher and the parties to the transaction were not related. The property was not advertised for sale, was not sold due to a

¹ The subject's description was taken from the evidence presented by the board of review.

foreclosure action, nor was it sold using a contract for deed. The appellant provided a copy of the "ALTA Settlement Statement – Cash" which displayed a settlement date of August 31, 2021. The seller of the subject property was identified as James D. Maher, as successor trustee. Based on this evidence, the appellant requested a reduction in the subject's assessment to \$57,666 which would reflect the subject's purchase price of \$173,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$112,560. The subject's assessment reflects a market value of \$337,815 or \$279.19 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 noted and emphasized that the subject was not advertised for sale. The board of review also submitted a copy of the PTAX-203 Illinois Real Estate Transfer Declaration, dated August 26, 2021, in support of the subject's sale. The PTAX-203 disclosed the property was not advertised for sale.

In support of its contention of the correct assessment, the board of review submitted information in two grid analyses for six comparable sales located in the subject's neighborhood code and within 0.45 of a mile from the subject. For clarity in the record, the two comparables in the second grid will be renumbered #5 and #6 in the order in which they were presented. The comparables have sites that range in size from 7,920 to 12,768 per square foot of land area. The comparables are improved with 1-story dwellings of frame or brick exterior construction ranging in size from 1,000 to 1,270 square feet of living area. The homes were built from 1953 to 1976. The comparables each have a basement, 1.0 to 2.0 bathrooms, and a garage ranging in size from 286 to 624 square feet of building area. Four comparables each have central air conditioning. Two comparables each have one fireplace. The comparables sold from April 2020 to August 2022 for prices ranging from \$275,000 to \$395,000 or from \$254.63 to \$395.00 per square foot of living area, land included. 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted the subject's sale and six comparable sales to support their respective positions. The appellant and board of review submitted documents supporting the recent purchase of the subject property. However, the Board gives little weight to the subject's sale in August 2021 as it does not appear to be an arm's length transaction. Both parties disclosed that the property was not advertised for sale and the settlement statement submitted by the appellant depicts that no realtor commissions were paid, which would indicate that the sale lacked elements of an arm's-length transaction. The Board gives less weight to board of review comparables ##2 and #3 which sold in

2020 less proximate in time to the subject's January 1, 2022 assessment date at issue than other sales in this record. The Board also gives less weight to board of review comparable #6 which is a smaller home than the subject.

The Board finds the best evidence of market value to be board of review comparables #1, #4, and #5 which are similar to the subject location, design, and dwelling size with varying degrees of similarity in age and features. These properties also sold proximate in time to the subject's assessment date at issue. However, each comparable differs from the subject in bathroom count, fireplace count, and garage size suggesting various adjustments would be necessary for these aforementioned differences to make the three comparables more equivalent to the subject. Nevertheless these three properties sold for prices ranging from \$275,000 to \$385,000 or from \$254.63 to \$303.15 per square foot of living area, land included. The subject's assessment reflects a market value of \$337,815 or \$279.19 per square foot of living area, land included, which falls within the range established by the best comparable sales in this record. Based on this record 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 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

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