



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

APPELLANT: Helena Remiasz Trust
DOCKET NO.: 22-03505.001-R-1
PARCEL NO.: 05-15-410-009

The parties of record before the Property Tax Appeal Board are the Helena Remiasz Trust, the appellant, by attorney Brian P. Liston, of the Law Offices of Liston & Tsantilis, P.C. in Chicago; 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: \$28,940
IMPR.: \$90,200
TOTAL: \$119,140

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 raised ranch dwelling of frame exterior construction with 1,299 square feet of living area. The dwelling was constructed in 1975 and is approximately 47 years old. Features of the home include a basement with finished area, central air conditioning, and a two-car garage. The property has a 7,498 square foot site and is located in Glen Ellyn, Milton Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales located within .7 of a mile of the subject and within the subject's assessment neighborhood. The comparables consist of raised ranch dwellings of frame or masonry exterior exterior construction ranging in size from 1,108 to 1,678 square feet of living area. The homes are 44 to 107 years old. Each dwelling has central air conditioning, a basement, and a two-car garage. Comparable #4 has an additional two-car

detached garage. The parcels range in size from 6,666 to 14,952 square feet of land area. The comparables sold from March 2020 to June 2022 for prices ranging from \$200,000 to \$450,000 or from \$180.50 to \$268.17 per square foot of living area, including land. Based on this evidence, the appellant requested a reduced assessment of \$101,406, for an estimated market value of \$304,248 or \$234.22 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 \$119,140. The subject's assessment reflects a market value of \$357,456 or \$275.18 per square foot of living area, land included, when applying the statutory level of assessment of 33.33%.¹

In support of its contention of the correct assessment the board of review submitted information on three comparable sales located within .21 of a mile of the subject and within the subject's assessment neighborhood. The comparables consist of raised ranch dwellings of frame exterior construction ranging in size from 1,122 to 1,162 square feet of living area. The dwellings were built from 1975 to 1977. Each dwelling has central air conditioning, a basement with finished area, and a two-car garage. The parcels range in size from 6,644 to 7,494 square feet of land area. The comparables sold from August 2020 to December 2021 for prices ranging from \$319,900 to \$327,500 or from \$281.41 to \$286.78 per square foot of living area, including land. The board of review also submitted a memorandum arguing appellant comparable #1 was not advertised for sale and the remaining comparables submitted by the appellant were inferior when compared to the subject. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 a total of seven comparable sales to support their respective positions before the Property Tax Appeal Board. The Board gives less weight to the appellant's comparable #1, which differs from the subject in age and was not advertised for sale, calling into question the arm's-length nature of the sale. The Board gives reduced weight to appellant comparables #2 and #3, as well as board of review comparable #3, which sold less proximate to the January 1, 2022 assessment date at issue in this appeal. The Board also gives diminished weight to appellant comparable #4, which appears to be an outlier due to its much lower sale price compared to the other sales in the record.

¹ Procedural rule Sec. 1910.50(c)(1) provides that in all counties other than Cook, the three-year county wide assessment level as certified by the Department of Revenue will be considered. 86 Ill. Admin. Code §1910.50(c)(1). Prior to the drafting of this decision, the Department of Revenue has yet to publish figures for tax year 2022.

The Board finds the best evidence of market value to be board of review comparable sales #1 and #2, which sold proximate to the assessment date at issue and are similar to the subject in age, location, dwelling size, and features. These most similar comparables sold in February and December 2021 for prices of \$319,900 and \$327,500 or for \$285.12 and \$286.78 per square foot of living area, including land. The subject's assessment reflects a market value of \$357,456 or \$275.18 per square foot of living area, including land, which is below the best comparable sales in this record on a per-square-foot basis. While the subject's estimated market value is above the two best comparables overall, the Board finds it logical given the subject's larger dwelling in relation to these two best comparables. 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 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

HELENA REMIASZ TRUST, by attorney:
Brian P. Liston
Law Offices of Liston & Tsantilis, P.C.
33 North LaSalle Street
28th Floor
Chicago, IL 60602

COUNTY

DuPage County Board of Review
DuPage Center
421 N. County Farm Road
Wheaton, IL 60187