



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

APPELLANT: Luis Oviedo
DOCKET NO.: 22-03519.001-R-1
PARCEL NO.: 06-33-305-024

The parties of record before the Property Tax Appeal Board are Luis Oviedo, 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: \$98,800
IMPR.: \$90,920
TOTAL: \$189,720

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 and brick exterior construction with 3,138 square feet of living area. The dwelling was constructed in 1979 and is approximately 43 years old. Features of the home include a basement, central air conditioning, a fireplace, and a 2-car garage with 748 square feet of building area. The property has a 15,000 square foot site and is located in Oak Brook, York Township, DuPage County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on June 1, 2020 for a price of \$555,000. The appellant partially completed Section IV – Recent Sale Data of the appeal petition disclosing the sale was not between related parties, the property was sold through a realtor, the sale was not due to foreclosure, and the sale was by contract for deed dated June 10, 2020. In support of the sale and the appellant submitted copies of a Warranty Deed, Real Estate

Transfer Declaration indicating the property was advertised for sale. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$189,720. The subject's assessment reflects a market value of \$569,217 or \$181.39 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 six comparable sales presented on two grid analysis, which are renumbered as comparables #1 through #6 for ease of reference. The comparables are located within 0.31 of a mile from the subject. The parcels range in size from 15,000 to 16,500 square feet of land area and are improved with 2-story homes of frame and brick exterior construction ranging in size from 2,794 to 3,522 square feet of living area. The dwellings were built from 1979 to 1983. Each home has a basement, one of which has finished area, central air conditioning, one or two fireplaces, and a garage ranging in size from 462 to 713 square feet of building area. Comparables #2 and #6 each have an inground swimming pool. Comparable #1 has a 3-season room. The comparables sold from January 2021 to March 2022 for prices ranging from \$635,000 to \$835,000 or from \$188.20 to \$237.08 per square foot of living area, including land.

The board of review submitted a memorandum contending that the subject's assessment was lowered to reflect the sale price in 2020 and 2021 and the 2022 tax year assessment reflects an equalization factor of 1.0255. 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 appellant presented evidence of a June 2020 sale of the subject and the board of review presented six comparable sales in support of their respective positions before the Board. The Board gives less weight to the subject's June 2020 sale as this sale occurred 1.5 years before the January 1, 2022 assessment date and is less likely to be indicative of market value as of that date. The Board gives less weight to the board of review's comparables #2 and #6 due to substantial differences from the subject in basement finish and/or inground swimming pool amenity. The Board also gives less weight to the board of review's comparable #1, which sold less proximate in time to the assessment date than the other comparables in this 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 Sec. 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 in the record to be the board of review's comparables #3, #4, and #5, which sold more proximate in time to the assessment date and are similar to the subject in dwelling size, age, location, and features. These comparables sold for prices ranging from \$635,000 to \$775,000 or from \$188.20 to \$232.64 per square foot of living area, including land. The subject's assessment reflects a market value of \$569,217 or \$181.39 per square foot of living area, including land, which is below the range established by the best comparable sales in this record. Based on this record and after considering appropriate adjustments to the best comparables for differences from the subject, the Board finds the subject's assessment is reflective of market value 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:

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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