FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Lasma Maher, LG Prime Land R/E Consulting
DOCKET NO.: 23-04987.001-R-1
PARCEL NO.: 05-02-311-035

The parties of record before the Property Tax Appeal Board are Lasma Maher, LG Prime Land R/E Consulting, the appellant, by 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:	$9,220
IMPR.:	$99,230
TOTAL:	$108,450

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Lake County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2023 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 one-story ranch dwelling of frame exterior construction with 1,974 square feet of living area. The dwelling was constructed in 1949. Features of the home include a concrete slab foundation, central air conditioning, one bathroom and a 560 square foot detached garage. The property has an approximately 7,378 square foot site and is located in Glen Ellyn, Milton Township, DuPage County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant completed Section IV – Recent Sale Data of the appeal petition disclosing the subject property was purchased on July 25, 2022 for a price of $179,500. The appellant indicated on the appeal that the seller was the Estate of Virginia Lopez and the property had been listed for sale by owner with a sign out front of the house. The appellant did not disclose how long the property was exposed on the market. The appellant further indicated the parties were not related. To document the transaction, the appellant provided a copy of the settlement statement identifying the sellers as the heirs of the Estate of Virginia Lopez. The settlement statement disclosed there were no real estate commissions paid. 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 $108,450. The subject's assessment reflects a market value of $325,383 or $164.83 per square foot of living area, including land, when using the statutory level of assessment of 33.33%.[1]

In response to the appeal, the board of review submitted a memorandum stating the subject is a multi-pin parcel with the second parcel ending in -034. The board of review provided property record cards for both parcels. The board of review contended the subject was purchased in July of 2022, but was not advertised. In support of this claim, the board of review provided a copy of the PTAX-203 Illinois Real Estate Transfer Declaration, which disclosed the subject was not advertised for sale. Additionally, the board of review indicated that, according to the settlement statement, no commissions were paid at closing.

In support of its contention of the correct assessment the board of review submitted information on three comparable properties that are located within .40 of a mile from the subject property. The comparables have sites that range in size from 12,722 to 17,938 square feet of land area. The comparables are improved with ranch dwellings of frame exterior construction ranging in size from 1,595 to 1,987 square feet of living area. The dwellings were built from 1922 to 1957. Two comparables each have a basement. Each comparable has central air conditioning, a fireplace and a garage ranging in size from 276 to 880 square feet of building area. The comparables sold from August 2021 to March 2023 for prices ranging from $245,000 to $350,000 or from $153.61 and $213.94 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 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 provided evidence regarding the sale of the subject property and the board of review submitted three comparable sales for the Board's consideration.

[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 2023.

The appellant based this appeal on a recent sale of the subject property. The Board questions the arm's-length nature of the transaction as the board of review provided the real estate transfer declaration associated with the sale disclosing the property was not advertised for sale, which was not refuted by the appellant. As a final point, the purchase price of the subject property of $179,500 or $90.93 per square foot of living area, including land, is significantly below the sales prices of the comparables provided by the board of review, which calls into question whether or not the subject's purchase price was indicative of market value as of the lien date at issue. For these reasons, the Board has given little weight to the subject's July 2022 purchase as being reflective of the property's fair cash value as of the January 1, 2023 assessment date.

The Board finds the best evidence of market value to be board of review comparables #1 and #3, which are similar to the subject in location, dwelling size, design and some features. Although, board of review comparable #3 is an older dwelling with a basement, when compared to the subject, suggesting adjustments would be required to make this comparable more equivalent to the subject. Nevertheless, these two properties sold in March 2023 and February 2022 for prices of $340,000 and $350,000 or for $171.11 and $213.94 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of $325,383 or $164.83 per square foot of living area, including land, which falls below the two best comparable sales in the record both in terms of overall market value and on a price per square foot basis. Less weight was given to board of review comparable #2 as the sale date occurred 16 months prior to the lien date at issue and is thus less likely to be indicative of the subject's market value as of January 1, 2023. Based on this record the Board finds the appellant did not prove by a preponderance of the evidence that the subject was overvalued and a reduction in the subject's assessment is not 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:

C E R T I F I C A T I O N

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: November 19, 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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