



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

APPELLANT: Ryan Esche
DOCKET NO.: 23-05454.001-R-1
PARCEL NO.: 05-11-117-009

The parties of record before the Property Tax Appeal Board are Ryan Esche, the appellant, by attorney Kevin Fanning, of Fanning Law, LLC 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 **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: \$81,140
IMPR.: \$128,860
TOTAL: \$210,000

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 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 2-story dwelling of frame exterior construction with 2,326 square feet of living area.¹ The dwelling was constructed in 1903. Features of the home include a basement with finished area, central air conditioning, one fireplace, and a garage with 528 square feet of building area. The property has a 15,867 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 submitted evidence disclosing the subject property was purchased on February 28, 2022 for a price of \$630,000. The appellant completed Sec. IV—Recent Sale Data of the appeal form, reporting that the property was sold by the owner, Kathleen and Frazer Trust [sic], and that the

¹ The only evidence of the subject's description was found in the grid analysis presented by the board of review which was unrefuted by the appellant.

property was advertised for sale through a multiple listing service for a period of five months using realtor Maureen Rooney of Keller Williams Premiere Properties. In further support of the appeal, the appellant submitted a copy of the warranty deed, Affidavit – Metes and Bounds, the PTAX-203 Real Estate Transfer Declaration, and the settlement statement which listed the sale price of \$630,000, a settlement date of March 1, 2022, and depicting commissions being distributed to two entities. 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 \$222,200. The subject's assessment reflects a market value of \$666,667 or \$286.62 per square foot of living area, land included, when applying the statutory level of assessment of 33.33%.²

Evidence submitted by the board of review included a copy of its grid analysis and property record cards for its suggested comparables (Exhibit I). The board of review also referenced its Exhibit II, which included an Assessment Data Sheet with a list of the assessor's comparables. The board of review noted the price per square foot range for its suggested comparables. The board of review asserted the subject received an equalization factor to its 2022 sale price of 1.0581% based on the ILDOR 2022 report. The board of review also provided property record cards for each of its comparables.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales located within the subject's assessment neighborhood and within 0.51 of mile from the subject. The parcels range in size from 8,124 to 12,020 square feet of land area. The comparables consist of 2-story homes of frame or masonry exterior construction ranging in size from 2,194 to 2,476 square feet of living area. The dwellings were built from 1924 to 1928. Each dwelling has a basement, two of which have finished area, central air conditioning, either one or two fireplaces, and a garage that ranges from 240 to 484 square feet of building area. The comparables sold from October 2021 to September 2022 for prices ranging from \$731,000 to \$891,500 or from \$295.23 to \$406.34 per square foot of living area, land included.

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 purchase of the subject property in February/March 2022 for a price of \$630,000. The appellant provided evidence demonstrating

² 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). As of the development of this Final Administrative Decision, the Department of Revenue has not published figures for tax year 2022.

the sale had the elements of an arm's length transaction. The appellant disclosed the parties to the transaction were not related, the property was sold by the owner, and had been advertised on the open market through a multiple listing service. In further support of the transaction the appellant submitted a copy of the closing statement and the PTAX-203 Illinois Real Estate Transfer Declaration, which confirmed the sale was advertised, depicted commissions being paid to two entities, and indicated the sale was not in fulfillment of an installment contract. The Board finds the purchase price is below the market value reflected by the assessment. The Board finds the board of review did not present any evidence to challenge the arm's length nature of the transaction. Based on this record the Board finds the subject property had a market value of \$630,000 as of January 1, 2023. Therefore, based on this evidence, the Board finds a reduction in the subject's assessment, commensurate with the appellant's request, to reflect its purchase price 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: _____

January 21, 2025



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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