



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

APPELLANT: Miranda Kouri, as Trustee
DOCKET NO.: 23-05947.001-R-1
PARCEL NO.: 05-17-431-066

The parties of record before the Property Tax Appeal Board are Miranda Kouri, as Trustee, the appellant; 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: \$16,570
IMPR.: \$133,597
TOTAL: \$150,167

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 one-story residential condominium unit with 2,350 square feet of living area and was built in 1998 and is approximately 25 years old. Features of the home include central air conditioning, two full baths and one garage space with approximately 180 square feet. The unit is located in a five-story building that contains a total of 40 units. The property is located in Wheaton, Milton Township, DuPage County.

The appellant contends both overvaluation and assessment inequity with respect to the subject's improvement as the bases of the appeal. In support of this argument the appellant submitted an eight-page memorandum, a grid analysis with information on three comparable properties and supporting documentation labeled exhibits 1 through 21. The appellant explained that the subject is located in Waterford Place Condominium Association that consists of three buildings that contain 110 condominium units of various sizes, layouts, number of bedrooms, number of baths, and either one or two indoor heated, deeded garage spaces with various amounts of

monthly condo dues and assessments, ranging from one bedroom one bath to three bedroom two baths. The appellant noted there are only eight condominium units in Waterford Place that are three bedrooms and two baths with 2,350 square feet, including the subject. Of these units, the appellant noted that only four have sold which are considered to be the best and only comparables available to compare to the subject. The appellant provided a grid analysis with information on three comparable properties that have the same assessment neighborhood code as the subject, one of which is located in the same building as the subject. Each condominium unit is 25 years old with 2,350 square feet of living area. Features of each unit include central air conditioning, two full bathrooms and two garage spaces containing approximately 360 square feet of building area.¹ Comparable #1 sold in August 2021 for \$429,000 or \$182.55 per square foot of living area, including land. The appellant submitted a PTAX-203 Real Estate Transfer Declaration and a Redfin printout of the listing for comparable #1. The three comparables each have an improvement assessment of \$152,900 or \$65.06 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$133,597 or \$56.85 per square foot of living area, including land, which results in a reduced total assessment of \$150,167, reflecting a market value of \$450,546 or \$178.08 per square foot of living area, including land, when using 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 \$169,470. The subject's assessment reflects a market value of \$508,461 or \$216.37 per square foot of living area, land included, when applying the statutory level of assessment of 33.33%.² The subject has an improvement assessment of \$152,900 or \$65.06 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted a memorandum, a grid analysis with information on the subject and nine comparable properties, as well as property record cards for the subject and each comparable. Seven of the nine comparables have the same assessment neighborhood code as the subject property. The board of review's comparables #1, #6 and #7 are the same properties as the appellant's comparables #2, #6 and #7, respectively. The nine comparables are improved with one-story condominium units of masonry exterior construction that range in size from 2,162 to 2,350 square feet of living area. Features of each unit include central air conditioning and two full baths. Comparables #8 and #9 each have a fireplace. The board of review did not provide garage data for the subject or the comparables. The comparables have improvement assessments ranging from \$152,900 to \$198,150 or from \$65.06 to \$89.93 per square foot of living area. Comparables #7, #8 and #9 sold from October 2020 to January 2022 for prices ranging from \$429,000 to \$599,900 or from \$182.55 to \$277.47 per square foot of living area, including land.

In the memorandum, the board of review argued that the appellant raised concern regarding the parking spaces. The board of review stated none of the units are assessed for parking.

¹ The appellant submitted a trustee's deed or a warranty deed that disclosed each comparable sale has two garage spaces.

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 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.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant submitted a five-page memorandum critiquing the board of review's evidence. The appellant also submitted interior photographs of the subject's single car, deeded, heated, garage space. The appellant argued the board of review's comparables #1 through #7 are condos from the same association as the subject, each with the same square footage, number of bedrooms and baths. However, several have two deeded, heated parking spaces, while the subject has only one. The appellant contended that there is significant value of an indoor, deeded, heated parking space, although board of review stated that none of the units are assessed for parking. Therefore, according to the appellant, the condos with only one heated, deeded parking space are assessed too high relative to the other otherwise identical condos with two spaces. The appellant also submitted a copy of a decision issued by the Property Tax Appeal Board for the subject property in tax year 2019 under docket number 19-07087 reducing the subject's assessment and referencing the fact the subject has only one parking space. The appellant asserted the board of review comparable #7 is the same property as the appellant's comparable #1, which is the best comparable in the record. However, this common comparable has two deeded, heated, indoor parking spaces, whereas the subject only has one and therefore, the comparable must be adjusted. The appellant further argued the board of review comparables #8 and #9 each have a different neighborhood code, a fireplace, two indoor, deeded parking spaces and are newer in age, when compared to the subject. Additionally, these two comparables are located in an association that has an exercise facility and a swimming pool, unlike the subject. The appellant requested the subject's assessment be reduced.

Conclusion of Law

The appellant contends, in part, 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 record contains three comparables sales to support their respective positions before the Board, one of which is common to both parties. The Board has given less weight to the board of review comparables #8 and #9 which differ from the subject in location, dwelling size and age.

On this limited record, the Board finds the best evidence of market value to be appellant's comparable #1/board of review comparable #2, which is most similar to the subject in location, dwelling size, age and some features. However, the parties' common comparable has an extra garage space, unlike the subject, suggesting a downward adjustment for this feature would be required to make this comparable more equivalent to the subject. Nevertheless, this property sold in August 2021 for \$429,000 or for \$182.55 per square foot of living area, including land. The subject's assessment reflects a market value of \$508,461 or \$216.37 per square foot of living area, including land, which is greater than the best comparable sale in this record. After considering adjustments to the best comparable sale for differences in features when compared to the subject, the Board finds a reduction in the subject's assessment commensurate with the appellant's request is justified.

The appellant also argued assessment inequity as an alternative basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b).

The record contains eleven assessment equity comparables for the Board's consideration. The Board has given less weight to the board of review comparables #8 and #9 which differ from the subject in location, dwelling size and age. After considering the assessment reduction granted to the subject property based on market value consideration, the Board finds the subject property is equitably assessed. Therefore, no further reduction in the subject's assessment is warranted based on the principles of uniformity.

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: _____

February 18, 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

AGENCY

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