



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

APPELLANT: Gregg R. Herlin  
DOCKET NO.: 24-04281.001-R-1  
PARCEL NO.: 06-33-105-008

The parties of record before the Property Tax Appeal Board are Gregg R. Herlin, the appellant, by attorney David Kieta, of Kieta Law LLC in Winfield; 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:** \$116,802  
**IMPR.:** \$247,468  
**TOTAL:** \$364,270

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 2024 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 masonry exterior construction with 4,996 square feet of living area. The dwelling was constructed in 1987 and is approximately 37 years old. Features of the home include a basement, central air conditioning, one fireplace, a garage with 849 square feet of building area and an inground swimming pool.<sup>1</sup> The property has a site with approximately 27,845 square feet of land area and is located in Oak Brook, York Grove Township, DuPage County.

The appellant contends assessment inequity with respect to the improvement as the basis of the appeal. In support of this argument, the appellant submitted information on four suggested equity comparables. The comparables are located in the same assessment neighborhood code as the subject and within .18 of a mile from the subject property. The comparables are improved with 2-story dwellings with a combination of frame, brick, masonry and stone exterior construction ranging in

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<sup>1</sup> The Board finds the best description of the subject is found in the evidence provided by the board of review, that was not refuted by the appellant.

size from 4,307 to 5,233 square feet of living area. The comparables are 39 or 42 years old. Each comparable has a basement, one with finished area, central air conditioning, one or two fireplaces and a garage ranging in size from 766 to 900 square feet of building area.<sup>2</sup> Comparable #2 has an inground swimming pool. The comparables have improvement assessments that range from \$79,991 to \$240,547 or from \$15.29 to \$49.02 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$230,915 or \$46.22 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$364,270. The subject property has an improvement assessment of \$247,468 or \$49.53 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on four suggested equity comparables, comparables #1 and #2 are the same properties as the appellant's comparables #3 and #4. The comparables are located in the same assessment neighborhood code as the subject and within .22 of a mile from the subject property. The comparables are improved with 2-story dwellings of frame and brick or brick and masonry exterior construction ranging in size from 4,576 to 4,933 square feet of living area. The dwellings were built from 1982 to 1986. Each comparable has a basement, two with finished area, central air conditioning, one or two fireplaces and a garage ranging in size from 782 to 900 square feet of building area. The comparables have improvement assessments ranging from \$238,016 to \$251,869 or from \$48.32 to \$55.04 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

### **Conclusion of Law**

The taxpayer contends assessment inequity as the 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 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 six suggested comparables for the Board's consideration with two comparables being common to both parties. The Board has given less weight to appellant's comparables #2 and #3 as well as board of review comparables #1 and #3, which includes one common comparable, due to their differences from the subject in finished basements and/or dwelling size. The Board has given reduced weight to appellant's comparable #1 which appears to be an outlier when compared to other comparables in the record.

The Board finds the best evidence of assessment equity to be appellant's comparable #4 along with board of review comparables #2 and #4, which includes one common comparable. The Board finds that these two comparables are similar to the subject in location, design, dwelling size, age and

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<sup>2</sup> The board of review submitted a grid analysis of the appellant's comparables disclosing that they each have a garage, one comparable has a finished basement and one comparable has an inground swimming pool, which was not refuted by the appellant.

some features. These two most similar comparables have improvement assessments of \$238,016 and \$240,547 or \$49.02 and \$50.74 per square foot of living area. The subject's improvement assessment of \$247,468 or \$49.53 per square foot of living area, is bracketed by best comparables on a per square foot basis but is greater on an overall improvement basis, which appears to be logical given the subjects inground swimming pool. Based on this record and after considering adjustments to the best comparables for differences from the subject, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the 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: \_\_\_\_\_

November 25, 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

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

APPELLANT

Gregg R Herlin, by attorney:  
David Kieta  
Kieta Law LLC  
0S331 Summit Drive  
Winfield, IL 60190

COUNTY

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