



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

APPELLANT: Theresa Bagley  
DOCKET NO.: 16-05059.001-R-1  
PARCEL NO.: 05-20-304-020

The parties of record before the Property Tax Appeal Board are Theresa Bagley, 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:** \$34,226  
**IMPR.:** \$133,600  
**TOTAL:** \$167,826

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 2016 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 two-story dwelling of frame construction with 2,533 square feet of living area. The dwelling was constructed in 1971. Features of the home include a partial basement, central air conditioning, a fireplace, an inground pool and a three-car attached garage. The property has a 14,143 square foot site and is located in Wheaton, Milton Township, DuPage County.

The appellant contends assessment inequity as the basis of the appeal. In support of this argument the appellant submitted information on four equity comparables with varying degrees of similarity to the subject. The comparables had improvement assessments ranging from \$102,670 to \$139,630 or from \$44.87 to \$51.20 per square foot of living area. These same comparables had land assessments ranging from \$32,990 to \$43,030 or from \$2.33 to \$2.49 per square foot of land area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$180,000. The subject property has an improvement assessment of \$144,570 or \$57.07 per square foot of living area. The subject has a land assessment of \$35,430 or \$2.51 per square foot of land area. In support of its contention of the correct assessment the board of review submitted information on five equity comparables with varying degrees of similarity to the subject. The comparables had improvement assessments ranging from \$187,800 to \$284,250 or from \$58.81 to \$65.06 per square foot of living area. These same comparables had land assessments ranging from \$26,390 to \$58,990 or from \$1.41 to \$2.56 per square foot of land area.

### **Conclusion of Law**

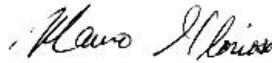
The taxpayer contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of assessment equity to be appellant's comparables. These comparables had improvement assessments that ranged from \$44.87 to \$51.20 per square foot of living area. The subject's improvement assessment of \$57.07 per square foot of living area falls above the range established by the best comparables in this record. The board recognizes the subject is superior to the comparables based on its larger garage and inground pool, however, the Board still finds the subject's improvement assessment is excessive after considering adjustments to the comparables for differences and similarities. Less weight was given the board of review's comparables based on their dissimilar age and/or size when compared to the subject.

In regard to the subject's land assessment the Board finds the best comparables in this record were the appellant's comparables #1, #3 and #4 along with board of review comparable #5 based on being in the same neighborhood as the subject. These comparables had land assessments ranging from \$1.92 to \$2.49 per square foot of land area. The subject's land assessment of \$2.51 per square foot of land area is above the established range within the subject's neighborhood.

Based on this record the Board finds the appellant demonstrated with clear and convincing evidence that the subject's improvement and land were inequitably assessed and a reduction in the subject's assessment is 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: February 13, 2019



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

Theresa Bagley  
1524 Foothill Court  
Wheaton, IL 60189

COUNTY

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