



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

APPELLANT: Susan Jacobs  
DOCKET NO.: 20-07579.001-R-1  
PARCEL NO.: 09-12-320-006

The parties of record before the Property Tax Appeal Board are Susan Jacobs, the appellant, by attorney Nora Devine, of The Devine Law Group, LLC in Northfield; 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:** \$108,850  
**IMPR.:** \$255,890  
**TOTAL:** \$364,740

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 2020 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 three-story dwelling of frame and brick exterior construction with 3,552 square feet of living area.<sup>1</sup> The dwelling was constructed in 1993 with an effective date of 1999.<sup>2</sup> Features of the home include a basement with 50% finished area, central air conditioning, a fireplace and a 670 square foot garage. The property has a 11,271 square foot site and is located in Hinsdale, Downers Grove Township, DuPage County.

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<sup>1</sup> There is a difference in dwelling size presented by the parties. The appellant presented an appraisal that disclosed 3,522 square feet of living area but did not submit a schematic diagram. The board of review included a copy of the subject's property record card with a schematic diagram disclosing 3,552 square feet of living area. After reviewing the evidence submitted by the parties the Property Tax Appeal Board finds the best evidence of size was presented by the board of review which contained a schematic diagram.

<sup>2</sup> The property record card submitted by the board of review discloses an addition and remodel in 2017, which was not refuted by the appellant. Furthermore, the appraiser did not disclose the new addition and remodeling to the 2<sup>nd</sup> floor.

The parties appeared before the Property Tax Appeal Board on March 30, 2021, via video conferencing technology using the Webex virtual platform pursuant to prior written notice dated February 11, 2022. Upon inquiry at the commencement of the virtual hearing, neither party posed any objection to use of this virtual hearing format. Appearing virtually on behalf of the appellant was its attorney, Nora Devine, along with her witness Jerry Wicklund, Certified Residential Appraiser, and appearing virtually on behalf of the DuPage County Board of Review was Don Whistler, board of review member, along with his witness appearing virtually, Anthony Pacilli, Chief Deputy Assessor in Downers Grove Township.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant called as her witness Jerry Wicklund. Wicklund testified that he has been an appraiser over 20 years.

Wicklund testified that he prepared an appraisal of the subject property. The purpose of the appraisal was to develop an opinion of market value of the subject property as of January 1, 2020. Wicklund provided direct testimony regarding the appraisal methodology and final value conclusion. Wicklund used the sales comparison approach in estimating a market value of the subject property. The appraisal report conveys an estimated market value of \$865,000 as of January 1, 2020.

Under the sales comparison approach, the Wicklund utilized five suggested comparable properties located in Hinsdale or Burr Ridge and from 0.54 to 0.73 of a mile from the subject property. The comparables were described as Georgian, Tudor, Colonial or Traditional style dwellings ranging in size from 3,311 to 4,009 square feet of living area.<sup>3</sup> The comparables range in age from 15 to 33 years old. The subject and comparables are in average condition. The comparables have sites ranging in size from 7,203 to 14,393 square feet of land area. Each comparable has a full basement with finished area, central air conditioning, one to three fireplaces and a two-car or three-car garage. Wicklund stated the subject's "kitchen and baths had older updates." The comparables sold from January to December 2019 for prices ranging from \$840,000 to \$900,000 or from \$221.06 to \$268.48 per square foot of living area, land included. Wicklund testified that he made adjustments to the comparables for differences from the subject property to arrive at adjusted sale prices ranging from \$861,900 to \$931,400. Based on the adjusted sales, the appraiser arrived at an indicated value for the subject by the sales comparison approach of \$865,000 as of January 1, 2020.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$364,740. The subject's assessment reflects a market value of \$1,092,036 or \$307.44 per square foot of living area, land included, when using the 2020 three year average median level of assessment for DuPage County of 33.40% as determined by the Illinois Department of Revenue.

The board of review submitted "Comparable Notes" in rebuttal of the appraisal submitted by the appellant. The board of review submission pointed out differences in the dwelling size of the comparables by asserting, "appraiser states the subject is 3,244 SF, assessor has 3,552 SF. Comp

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<sup>3</sup> The board of review submitted property record cards for the appraiser's comparables. These properties are described as two-story or three-story dwellings of brick or brick and frame exterior construction ranging in size from 3,064 to 4,068 square feet of living area.

03 appraiser states 4,008 assessor has 4,068SF. Comp 04 appraiser states 3,315 SF, assessor has 3,064 SF. GLA adjustment \$60/SF.” The board of review also disclosed that appraisal comparables #1, #2, #3 and #5 as being south of 55<sup>th</sup> street and comparable #4 has a -20% permanent adjustment for land and building for Rt 83.

In support of its contention of the correct assessment the board of review submitted the subject's property record card, a location map and a grid analysis of both the appellants and assessor's comparables along with property record cards supplied by the Downers Grove Township Assessor's office.

The board of review called its witness Anthony Pacilli, Chief Deputy Assessor of Downers Grove Township. Pacilli testified that the assessor's office submitted information on four comparables sales. Pacilli testified that these comparables are all located north of 55<sup>th</sup> Street as is the subject property. This is a key street in Hinsdale that divides north Hinsdale from south Hinsdale. Also, properties located north of 55<sup>th</sup> Street go to Oak Elementary School while properties located south of 55<sup>th</sup> Street go to Elm Elementary School. Pacilli testified that the sales greatly vary from north of 55<sup>th</sup> Street to south of 55<sup>th</sup> street. The board of review comparables have sites ranging in size from 7,750 to 12,125 square feet of land area. The comparables are improved with two-story or three-story dwellings of frame, brick or brick and frame exterior construction that range in size from 3,422 to 3,643 square feet of living area. The comparables were built from 1990 to 1999. Comparable #4 has an effective age of 1999. Each comparable has a basement with 50% to 100% finished area. Each comparable has central air conditioning, a fireplace and a garage ranging in size from 476 to 600 square feet of building area. The comparables sold from June 2018 to October 2019 for prices ranging from \$1,020,000 to \$1,075,000 or from \$279.99 to \$314.14 per square foot of living area, land included. Based on this evidence, the board of review requested that the assessment be confirmed.

In rebuttal, Don Whistler stated that the subject property was listed August 2021 for \$1,599,000 and was under contract three days later for \$1,616,000 close to double of the appraised value as of January 1, 2020. Divine asked her appraiser if he has seen properties double after the pandemic started and he responded generally not; that the market he looked at was a declining market at the time the appraisal was prepared. Devine argued that the Property Tax Appeal Board should be focused on the lien date. Whistler testified that the Multiple Listing Service (MLS) sheet stated that the home has been renovated and expanded inside and out.

### **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.

In this appeal, the appellant submitted an appraisal estimating the subject property had a market value of \$865,000 as of January 1, 2020. The appellant's appraisal witness relied on five suggested sales in estimating the market value of the subject property. The board of review

provided four suggested comparable sales in support of the subject's assessment. After reviewing the data and considering the testimony, the Board finds the appellant's appraiser was not persuasive. The appraiser's comparables #1, #2, #3 and #5 are located south of 55<sup>th</sup> Street while the subject is located north of 55<sup>th</sup> Street and there were other comparable sales located north of 55<sup>th</sup> Street that were available for the appellant's appraiser to utilize. The appraiser testified that he was looking at a declining market which was not supported by any market data and stated that the kitchen and baths had older updates when the subject property had actually been remodeled as per the MLS data sheet. Furthermore, the subject property sold 20 months after the January 1, 2020, assessment date for almost double of the appraiser's value conclusion. These factors undermined the value conclusion contained in the appellant's appraisal. However, the Board will further examine the raw sales data contained in this record, including the sales in the appellant's appraisal.

The record contains nine comparable sales for the Board's consideration. The Board gave less weight to the appraiser's comparables #1, #2, #3 and #5 due to their location being south of 55<sup>th</sup> Street when compared to the subject's location being north of 55<sup>th</sup> Street.

The Board finds the best evidence of market value to be the appraiser's comparable #4 along with the board of review comparables. These comparables are most similar when compared to the subject in location, age, dwelling size, and features. These comparable sales sold for prices ranging from \$890,000 to \$1,075,000 or from \$279.99 to \$314.14 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,092,036 or \$307.44 per square foot of living area, including land, which is above the range on a total market value basis but within the range of a per square foot basis as established by the best comparable sales in the record. After considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported. Therefore, the Board finds the assessment of the subject property as established by the board of review is correct and no reduction in the subject's assessment 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:

October 18, 2022



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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