



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

APPELLANT: Mark Turek
DOCKET NO.: 20-08166.001-R-1
PARCEL NO.: 09-13-105-011

The parties of record before the Property Tax Appeal Board are Mark Turek, the appellant, by Jessica Hill-Magiera, Attorney at Law in Lake Zurich; 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: \$167,280
IMPR.: \$77,760
TOTAL: \$245,040

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 2-story dwelling of frame exterior construction with 2,693 square feet of living area.¹ The dwelling was constructed in 1991. Features of the home include an unfinished basement, central air conditioning, one fireplace, and a garage with 528 square feet of building area. The property has a 25,875 square foot site and is located in Hinsdale, Downers Grove Township, DuPage County.

The appellant contend overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales with the same assessment neighborhood code as the subject property. The properties have sites that range in size from 10,033 to 18,837 square feet of land area. The comparables are improved with 2-story dwellings of frame or brick and frame exterior construction ranging in size from 2,221 to 2,924 square feet

¹ Details not reported by the appellant were drawn from the evidence presented the board of review.

of living area.² The homes were built in 1985 or 1987. Each comparable has a basement with two having finished area, central air conditioning, one fireplace, and a garage that ranges in size from 440 to 640 square feet of building area. The comparables sold from June 2019 to June 2020 for prices ranging from \$500,000 to \$640,000 or from \$218.88 to \$225.12 per square foot of living area, land included. Based on this evidence, the appellant requested a reduced assessment of \$198,841, for an estimated market value of \$596,583 or \$221.53 per square foot of living area, land included, when applying 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 \$245,040. The subject's assessment reflects a market value of \$733,653 or \$272.43 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.

In support of its contention of the correct assessment the board of review submitted information, including a grid analysis and property record cards, on three comparable sales comparable sales with the same assessment neighborhood codes as the subject property. The properties have sites that range in size from 10,650 to 21,000 square feet of land area. The comparables are improved with 2-story dwellings of brick, frame, or frame and brick exterior construction ranging in size from 2,956 to 3,311 square feet of living area. The dwellings were built from 1990 to 1999. Each comparable has a basement with one having finished area, central air conditioning, one or two fireplaces, and a garage that ranges in size from 836 to 1,104 square feet of building area. The comparables sold from September 2018 to June 2020 for prices ranging from \$830,000 to \$900,000 or from \$253.70 to \$297.32 per square foot of living area, land included.

The board of review evidence also included a grid analysis and property record cards which contained property characteristics for the appellant's comparables, some of which was not disclosed by the appellant. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, counsel for the appellant contended that board of review comparables #1 and #2 were acceptable comparable sales. The appellant asserted that board of review comparable #3 was not an acceptable comparable sale due to its remote sale date. In a rebuttal grid analysis, counsel suggested that the appellant's comparable sales as well as board of review comparables #1 and #2 are the best comparable sales in the record and contended the subject's assessment should be reduced.

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.

² Details not reported by the appellant were drawn from the evidence submitted by the board of review.

The parties submitted a total of six comparable sales to support their respective positions before the Property Tax Appeal Board. The Board gives less weight to the appellant's comparable #3 as well as board of review comparables #2 and #3 which differ from the subject in dwelling size and/or presents a 2018 sale date occurring less proximate in time to the subject's January 1, 2020 assessment date than the other comparables in this record.

The Board finds the best evidence of market value to be the parties' remaining comparables which sold proximate in time to the subject's assessment date and are more similar to the subject in location, design, age, dwelling size, and most features. However, each of the most similar properties has basement finish, unlike the subject, requiring the necessary downward adjustments for this difference to make them more equivalent to the subject. Nevertheless, these three properties sold in June 2019 and June 2020 for prices ranging from \$605,000 to \$830,000 or from \$218.88 to \$280.78 per square foot of living area, land included. The subject's assessment reflects a market value of \$733,653 or \$272.43 per square foot of living area, land included, which falls within the range established by the best comparable sales in this record. Based on the record and after considering adjustments to the best comparables for differences from the subject, the Board finds a reduction in the subject's estimated market value as reflected by its assessment is not 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: September 19, 2023



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

Mark Turek, by attorney:
Jessica Hill-Magiera
Attorney at Law
790 Harvest Drive
Lake Zurich, IL 60047

COUNTY

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