

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Tom and Peggy Sullivan
DOCKET NO.: 07-02833.001-R-1
PARCEL NO.: 09-04-404-028

The parties of record before the Property Tax Appeal Board are Tom and Peggy Sullivan, the appellants; and the DuPage County Board of Review.

The subject property consists of a part two-story and part one-story single family dwelling containing 2,759 square feet of living area. The dwelling has a vinyl siding and brick veneer exterior, central air conditioning, one fireplace, a full unfinished basement and a 420 square foot attached garage. The dwelling was constructed in 1999 and is approximately 8 years old. The property is located in Westmont, Downers Grove Township, DuPage County.

The appellant, Tom Sullivan, appeared before the Property Tax Appeal Board contending the subject's assessment is excessive and not reflective of its market value. In support of this argument the appellant asserted that the market values of homes in the United States have decreased by 12%. At the hearing the appellant made reference to a recent market analysis prepared for his home indicating a potential listing price of \$435,000 as of March 2009. This analysis had not been previously submitted by the appellant as part of his evidence and was not accepted into the record. (See 86 Ill.Adm.Code 1910.30(g & k) and 1910.67(k)). The appellant had submitted three pages of a Property Profile and Market Analysis of the subject property prepared by Coldwell Banker Residential Brokerage. The report did not contain any comparable sales, market data or a conclusion of value for the subject property. The appellant had written on the report that the market value of the subject as determined by the report was \$512,700 as of February 7, 2008. The appellant testified that he was only provided the pages of the report he submitted to the Property Tax Appeal Board. The appellant testified that the reason for obtaining the market analysis was that he and his wife were contemplating listing the property for sale but ultimately did not do so at that time. He did testify, however, that from January 2009 to February 2009 he had advertised the property for

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Based on the facts and exhibits presented, 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:	\$	32,300
IMPR.:	\$	156,490
TOTAL:	\$	188,790

Subject only to the State multiplier as applicable.

sale by placing a sign in the yard. He was asking \$599,000 for the property but received no offers.

On the appeal form the appellant also submitted information on three comparable sales. The comparables were described as part two-story and part-one story dwellings of frame or frame and brick exterior construction that ranged in size from 2,884 to 4,481 square feet of living area. The dwellings were constructed from 1997 to 2005. Each home was described as having a basement, central air conditioning and a garage. Two of the comparables had fireplaces. The appellant indicated the properties sold from 1997 to 2005 for prices ranging from \$290,000 to \$478,098 or from \$67.72 to \$165.78 per square foot of living area. In conclusion, the appellant was of the opinion the subject's assessment should reflect a market value of \$512,700, as reflected by the market analysis.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$203,810 was disclosed. The subject has an improvement assessment of \$171,510 or \$62.16 per square foot of living area. The subject's assessment reflects a market value of approximately \$649,900 or \$235.56 per square foot of living area when applying the 2007 three year median level of assessments for DuPage County of 31.36%. The board for review submitted an assessment analysis of the appellant's comparables and pointed out that appellant's comparable number 2 had a prorated improvement assessment in 2007. It also pointed out that appellant's comparable 1 had a different and lower grade than the subject and appellant's comparable 3 was a two story dwelling with a lower grade, no basement and no fireplace. The board of review indicated the comparables had improvement assessments ranging from \$91,670 to \$209,820 or from \$31.46 to \$55.67 per square foot of living area.

The board of review submitted assessment and sales data on three comparables to demonstrate the subject was equitably assessed and the assessment was reflective of market value. The comparables were improved with part two-story and part one-story dwellings of frame exterior construction that ranged in size from 1,950 to 3,230 square feet of living area. One comparable was built in 1997 and two were constructed in 2006. Each comparable had a basement with one being 75% finished, each had central air conditioning, each had a fireplace and each had a garage ranging in size from 437 to 808 square feet. These properties had improvement assessments ranging from \$127,620 to \$194,040 or from \$60.07 to \$65.45 per square foot of living area. These same comparables sold from February 2006 to August 2006 for prices ranging from \$447,000 to \$705,000 or from \$218.27 to \$245.00 per square foot of living area. Based on this data, the board of review requested confirmation of the subject's assessment.

After hearing the testimony and considering the evidence, the Property Tax Appeal Board finds a reduction in the assessment of the subject property is supported by the evidence in the record.

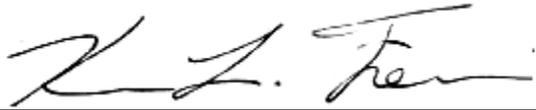
The record contains descriptions and assessment information on six comparables submitted by the parties. For uniformity purposes, the Board finds comparables 1 and 3 submitted by the appellant and comparable 3 submitted by the board of review were most similar to the subject in age and size. These dwellings ranged in size from 2,600 to 2,914 square feet and were built from 1989 to 1997. These properties had improvement assessments ranging from \$91,670 to \$157,350 or from \$31.46 to \$60.52 per square foot of living area. The comparable at the low end of the range was inferior to the subject with no basement and no fireplace. The comparable at the high end of the range was superior to the subject with respect to having finished basement area and a slightly larger garage. The subject's improvement assessment of \$171,510 or \$62.16 per square foot of living area is above this range. After considering differences in features between the subject and the comparables, the Board finds a reduction in the subject's improvement assessment is justified.

The record also contained information with respect to the market value of the subject property. The appellant submitted pages from a Property Profile and Market Analysis, however, this report contained no comparable sales data. The appellant asserted that this report had indicated the subject had an appraised value of \$512,700, however, that was not included in the market analysis but written on the front of the report by the appellant. Due to this lack of data, the Board gives this report little weight. The board of review's comparables were superior to the subject in either age or features. These properties sold from February 2006 to August 2006 for prices ranging from \$447,500 to \$705,000 or from \$218.27 to \$245.00 per square foot of living area. The comparable that sold most proximate in time to the assessment data at issue was built in 2006 with a larger garage and had a unit price of \$218.27 per square foot of living area. Significantly, the appellant testified he had attempted to sell the subject property in January and February 2009 for a price of \$599,000 but received no offers. The subject's assessment reflects a market value of approximately \$649,900 or \$235.56 per square foot of living area when applying the 2007 three year median level of assessments for DuPage County of 31.36%, which the Board finds is excessive based on the market data in the record.

In conclusion, based on the data in the record, the Property Tax Appeal Board finds the subject property had a market value of \$602,000 as of January 1, 2007. Since market value has been determined, the 2007 three year median level of assessments for DuPage County shall apply. The Board further finds this estimate of market value also results in an equitable improvement assessment for the subject property.

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.

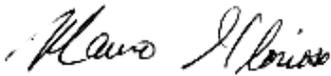
Chairman



Member



Member



Member



Member

DISSENTING: _____

C E R T I F I C A T I O N

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: June 19, 2009



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 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 the subsequent year 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.

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.