FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Yiqing Chen
DOCKET NO.: 07-03965.001-R-1
PARCEL NO.: 09-03-400-029

The parties of record before the Property Tax Appeal Board are Yiqing Chen, the appellant, and the DuPage County Board of Review.

Based on the facts and exhibits presented, 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:	$88,930
IMPR.:	$244,250
TOTAL:	$333,180

Subject only to the State multiplier as applicable.

ANALYSIS

The subject parcel of 10,080 square feet of land area has been improved with a 9-year old, two-story single-family dwelling of masonry construction containing 3,495 square feet of living area. Features include a full, finished basement, central air conditioning, two fireplaces, and a two-car garage of 650 square feet of building area. The property is located in Clarendon Hills, Downers Grove Township, DuPage County.

The appellant's appeal is based on overvaluation of the subject property. In support of this market value argument, the appellant submitted information on the August 2003 purchase price of the property and on four sales comparables. In addition, in a brief the appellant noted the subject's 2007 assessment increased "over 50%" from its 2006 assessment. Appellant also argued that the subject is located next to a commercial apartment building which detracts from its desirability. Moreover, the subject is located ½-block from a major traffic thoroughfare.

The August 2003 purchase price was $645,000 and the property was purchased from an unrelated party through use of a Realtor after advertising for an unknown amount of time through the Multiple Listing Service.

The appellant also presented a grid analysis of four comparables with lots that ranged in size from 10,049 to 13,740 square feet of land area. The parcels were improved with two-story or two and one-half-story frame or frame and masonry dwellings that range in age from "new" to 52 years old, with the oldest property having had an addition in 2005. The comparables range in size from 2,693 to 3,432 square feet of living area and feature basements ranging in size from 1,300 to 1,600 square feet of building area. The comparables each have central air conditioning, two fireplaces, and a garage ranging in size from 440 to 581 square feet of building area. The sales occurred from April 2004 to September 2007 for prices ranging from $640,000 to $1,068,000 or from $194.78 to $324.32 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's total assessment to $280,000 or a market value of approximately $840,000 or $240.34 per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of $333,180 was disclosed. The subject's assessment reflects an estimated market value of $1,001,744 or $286.62 per square foot of living area, land included, using the 2007 three-year median level of assessments for DuPage County of 33.26%.

In support of the subject's market value as reflected by its assessment, the board of review presented a memorandum from the township assessor along with a grid analysis reiterating the appellant's four comparables and presenting six comparables, three of which sold, to support the subject's assessment.

The three sold properties consist of parcels that have been improved with one, one and one-half-story and two, two-story frame or frame and masonry dwellings that were built between 1948 and 2001 with two of the properties having had various additions including in 1993 and 2000. The dwellings range in size from 2,791 to 2,962 square feet of living area. Features include full or partial basements, each of which included finished area, and garages ranging in size from 498 to 550 square feet of building area. These three comparables sold between April 2005 and November 2006 for prices ranging from $765,000 to $900,000 or from $274.10 to $323.28 per square foot of living area, including land. In the memorandum, the assessor acknowledges the differences in the exterior construction of comparables #1, #2 and #3 from the subject and also acknowledges that comparables #2 and #3 were older structures with partial basements more recent additions and/or remodeling.

In response to the appellant's comparables, the assessor noted that none of the comparables are all brick exterior like the

subject; comparable #2 only has a partial basement and none of the comparables have any basement finish like the subject.

Based on the foregoing evidence, the board of review requested confirmation of the subject's assessment as reflecting its market value.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Board further finds a reduction in the subject's assessment is not warranted.

The appellant contends the assessment of the subject property is excessive and not reflective of its market value. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3rd Dist. 2002). The Board finds the evidence in the record does not support a reduction in the subject's assessment.

As to the subject's August 2003 purchase price, the Board finds that a sale which occurred 3 years and 4 months prior to the assessment date at issue of January 1, 2007 is not sufficiently close in time to be a valid indicator of the subject's market value as of the assessment date. Thus, the Board has given little weight to the subject's purchase price presented in this matter.

The parties submitted a total of seven comparable sales for the Board's consideration to support their respective positions. The Board has given less weight to appellant's comparable #3 due to its original construction date of 1955 which makes it significantly older than the subject dwelling. The Board has also given less weight to board of review comparables #2 and #3 due to their original construction dates of 1948 and 1952 which makes these structures significantly older than the subject dwelling, also. Thus, the Board finds the remaining four comparables submitted by both parties were most similar to the subject in size, design, location and/or age. Due to their similarities to the subject, despite none of these properties having an all brick exterior, these comparables received the most weight in the Board's analysis. These comparables sold between February 2005 and September 2007 for prices ranging from $236.58 to $324.32 per square foot of living area, including land. The subject's assessment reflects a market value of approximately $1,001,744 or $286.62 per square foot of living area, including land, using the three-year median level of assessments for DuPage County of 33.26%. Other than its exterior construction and lack of any basement finish, the subject is found to be most similar to appellant's comparable #4 in size, age and features, but the subject's estimated market value is still less than the recent sale price of this property on a per-square-foot basis. The Board finds the subject's assessment reflects a market value that falls within the range established by the most similar

comparables on a per square foot basis. After considering the most comparable sales on this record, the Board finds the appellant did not demonstrate the subject property's assessment to be excessive in relation to its market value and a reduction in the subject's assessment is not warranted on this record.

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: February 23, 2010

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.