



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

APPELLANT: James & Serena Mayers  
DOCKET NO.: 08-01821.001-R-1  
PARCEL NO.: 03-06-402-015

The parties of record before the Property Tax Appeal Board are James & Serena Mayers, the appellants; and the DuPage County Board of Review.

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:** \$53,080  
**IMPR:** \$89,981  
**TOTAL:** \$143,061

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a two-story dwelling of frame construction containing 3,351 square foot of living area.<sup>1</sup> The dwelling is approximately four years old. Features include a full unfinished basement, central air conditioning, a fireplace and a two-car attached garage. The subject property is located in Itasca, Addison Township, DuPage County, Illinois.

The appellants submitted evidence before the Property Tax Appeal Board to demonstrate that the subject's assessment was not reflective of fair market value. In support of this argument, the appellant submitted an appraisal report prepared by real estate appraiser David Veidemanis of Cornerstone Appraisal estimating the subject property had a market value of \$430,000 as of January 16, 2009. The purpose of the appraisal was for "mortgage finance transaction."

The appraiser utilized the sales comparison approach to estimate the subject's market value. The report used four sale properties

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<sup>1</sup> The appellants reported the dwelling has 3,088 square foot of living area and the board of review reported 3,331 square foot of living area for the subject.

and two sale listings. Three sales and a listing were located in Itasca and one sale and a listing were located in Wood Dale. In the addendum section of the report, the appraiser noted difficulty in providing meaningful sales from Itasca. The appraiser therefore, used the adjacent suburb of Wood Dale, which was considered similar. The comparables consist of two-story frame or frame and masonry dwellings which were 5 to 32 years old. The comparables ranged in size from 2,269 to 3,862 square feet of living area. The appraiser reported the subject dwelling consisted of 3,351 square foot of living area, although the assessor's records reflect 3,331 square foot of living area for the subject. Each of the comparable properties had a full or partial basement, central air conditioning, one or two fireplaces and two or three-car garages.

Four comparables sold between May 2008 and September 2008 for prices ranging from \$395,000 to \$515,000 or from \$133.35 to \$174.09 per square foot of living area including land. The two comparable listings had asking prices of \$439,900 and \$549,000 or \$129.50 and \$170.07 per square foot of living area including land. The appellant's evidence also disclosed the subject's final assessment was \$187,180, which reflects a market value of \$562,609 using DuPage County's 2008 three-year median level of assessment of 33.27%. Based on this evidence the appellant requested a reduction in the subject's assessment to \$143,080, which reflects a market value of approximately \$430,057.

The board of review submitted its "Board of Review Notes on Appeal" wherein the final assessment of \$187,180 was disclosed. The final assessment of the subject property reflects a market value of \$562,609 or \$167.89 per square foot of living area including land based on 3,351 square foot of living area and using the 2008 three-year median level of assessments for DuPage County of 33.27%.

In support of the subject's estimated market value based on its assessment, the board of review submitted a grid analysis of three suggested comparable properties, all of which had sold. The comparables were located in the subject's assigned neighborhood code and described as two-story frame and masonry dwellings ranging in size from 3,262 to 3,308 per square foot of living area. The dwellings were built between 2000 and 2004 and featured full unfinished basements, central air conditioning and garages. These three properties sold between October 2004 and June 2006 for prices ranging from \$532,286 to \$575,000 or from \$163.18 to \$176.27 per square foot of living area including land.

As to the appellants' evidence, the township assessor noted the appraisal date of January 16, 2009 was one year after the assessment date of January 1, 2008. Furthermore, the appraiser's six comparable properties are out of the subject's neighborhood and two are not located in Itasca. Based on the foregoing evidence, the board of review requested confirmation of the subject's assessment.

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 finds a reduction in the subject's assessment is warranted.

The appellants 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. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331Ill.App.3d 1038 (3<sup>rd</sup> Dist. 2002). Proof of market value may consist of an appraisal of the subject property, a recent sale of the subject property or comparable sales. (86 Ill.Admin.Code 1910.65(c)).

The Board finds that the best evidence of the subject's living area square footage was presented by a schematic drawing presented by the appellants' appraiser and thus the Board concludes the subject dwelling contains 3,351 per square feet of living area.

The appellants submitted an appraisal of the subject property with a final value conclusion of \$430,000, while the board of review submitted three sales more distant in time to the assessment date of January 1, 2008 than the sales data presented in the appraisal.

While the appraisal may rely on comparable dwellings outside of the subject's neighborhood and four of the comparables have masonry or partial masonry exterior construction, in the end the Property Tax Appeal Board finds that, despite the assessors criticisms, the appraisal submitted by the appellants using 2008 sales information estimating the subject's market value of \$430,000 or \$128.32 per square foot of living area including land based on 3,351 square foot of living area is still the best evidence of the subject's market value in the record.

Based upon the market value as stated above, the Property Tax Appeal Board finds that a reduction is warranted. Since market value has been established, the three-year median level of assessments for DuPage County for 2008 of 33.27% shall be applied.

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.

*Ronald R. Cuit*

Chairman

*K. L. Fern*

Member

*Frank A. Huff*

Member

*Mario M. Louie*

Member

*Shawn R. Lerski*

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 24, 2011

*Allen Castrovillari*

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.