



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

APPELLANT: Paul & Diane Scardino
DOCKET NO.: 08-03541.001-R-1 through 08-03541.003-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Paul & Diane Scardino, the appellants, by attorney Brian S. Maher of Weis, DuBrock, Doody & Maher, in Chicago; 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
08-03541.001-R-1	02-09-131-001	9,790	46,550	\$56,340
08-03541.002-R-1	02-09-131-009	9,790	46,340	\$56,340
08-03541.003-R-1	02-09-131-011	9,790	46,340	\$56,340

Subject only to the State multiplier as applicable.

ANALYSIS

The subject matter of this appeal consists of three condominium units of brick construction. Each condominium contains 871 square feet of living area and was built in 1985. The condominiums are located in Bloomingdale Township, DuPage County.

The appellants submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellants offered an appraisal of a similar condominium to the three subject condominiums.

The appraisal submitted by the appellants was prepared by a state licensed appraiser and conveys an estimated market value for a similar property to the subject condominium units of \$149,000 as of April 10, 2008 using the sales comparison approach to value. Under the sales comparison approach, the appraiser selected four suggested comparable sales and one listing. The comparables consist of condominiums with brick exteriors that were built from 1981 to 1985. The comparables have central air conditioning and

two comparables have a fireplace. The comparables range in size from 871 to 1,135 square feet of living area. The sales occurred from July 2007 to March 2008 for prices ranging from \$149,000 to \$163,000 or from \$143.61 to \$159.52 per square foot of living area including land. The offering was listed for a price of \$160,000 or \$183.70 per square foot of living area.

The appraiser adjusted the comparables for differences when compared to the similar comparable property to the subject in room count, upgrades, fireplace and garage. The offering's price was adjusted for being an active listing. The adjustments resulted in adjusted sale prices ranging from \$148,000 to \$150,500. Based on these adjusted sales, the appraiser concluded the similar comparable property to the subject units had a fair market value of \$149,000 as of April 10, 2008.

Based on this evidence, the appellant requested a total assessment reduction to \$148,983.

The board of review submitted its "Board of Review Notes on Appeal" wherein the final assessment for each of the respective units of \$56,340 was disclosed. The assessment for each unit reflects an estimated market value of \$169,342 or \$194.42 per square foot of living area including land using DuPage County's 2008 three-year median level of assessments of 33.27%.

In support of the assessment for each condominium, the board of review submitted a 2 two page letter analyzing both parties' comparables, a grid analysis of five suggested comparable properties as well as the appellant's comparables.

The board of review comparables consist of condominiums with brick exteriors that were built in 1985. The comparables have 871 square feet of living area. The sales occurred from January 2007 to June 2007 for prices ranging from \$171,200 to \$189,900 or from \$196.56 to \$218.03 per square foot of living area including land. Based on this 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 these appeals. The Board further finds no reduction in the subject's assessment is warranted.

The appellants argued the subject condominium units are overvalued. When market value is the basis of the appeal, the value must be proved by a preponderance of the evidence. Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179, 183, 728 N.E.2d 1256 (2nd Dist. 2000). The Board finds the appellants have not met this burden of proof.

The appellants submitted an appraisal of a similar condominium to the three subject condominiums prepared by a state licensed appraiser conveying an estimated market value of \$149,000 as of

April 10, 2008 using the sales comparison approach to value. The board of review submitted five comparable sales in support of the subject properties assessed valuations. The Board gave less weight to the value conclusion arrived at in the appraisal due to the fact the property appraised was not one of the subject condominium units under appeal. The Board will however, analyze the raw market data contained in the appellant's appraisal.

In reviewing the nine sales and one offering submitted by both parties, the Board gave less weight to the appellants' appraiser's comparables #3 and #4 due to their additional amenities of central air conditioning and fireplaces when compared to the subject condominiums. The Board also gave less weight to the appellant's offering because it was a listing and not an actual sale, although it sets the upper limit of value for that property. The Board gave less weight to the board of review's comparables #3 and #4 due to their sale date occurring a year prior to the subject's January 1, 2008 assessment date. The Board finds the remaining five sales to be the most similar comparables to the subject in location, design, age, size and amenities and more probative of the subject's fair market value as of the January 1, 2008 assessment date. The sales occurred from May 2007 to December 2007 for prices ranging from \$149,000 to \$189,900 or from \$148.55 to \$218.03 per square foot of living area including land. Each of the condominium units under appeal has an assessment that reflects an estimated market value of \$169,342 or \$194.25 per square foot of living area including land, which is within the range established by the most similar sales in the record. After considering adjustments to the comparables for any differences when compared to the subject, the Property Tax Appeal Board finds the subject's estimated market value as reflected by its assessment is supported and no reduction 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.

Ronald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario Morris

Member

J. R.

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 24, 2012

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.