



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

APPELLANT: JLT Property Management
DOCKET NO.: 09-03511.001-R-1
PARCEL NO.: 09-23-309-009

The parties of record before the Property Tax Appeal Board are JLT Property Management, the appellant, by attorney Edwin M. Wittenstein of Worssek & Vihon in Chicago; 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: \$45,050
IMPR.: \$23,283
TOTAL: \$68,333

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property contains approximately 12,962 square feet of land which is improved with a 1½-story dwelling of frame construction containing approximately 1,208 square feet of living area.¹ The dwelling is 52 years old having been built in 1957. The dwelling is on a crawl-space foundation and features central air conditioning² and a 2-car garage containing 576 square feet. The dwelling is located in Darien, Downers Grove Township, DuPage County.

The appellant contends that the market value of the subject property is not accurately reflected in the property's assessed valuation as the basis of this appeal. The appellant submitted an appraisal report prepared by Kurt Schmidt of Mountain Residential Appraisal in which a market value of \$205,000 or \$169.70 per square foot of living area including land was estimated for the

¹ The appraiser claims the subject contains 1,208 square feet of living area and supported the claim with a detailed drawing of the subject with dimensions in the appraisal. The board of review claims the subject contains 1,200 square feet of living area and submitted a property record card with dimensions to support the claim. The diagram on the property record card indicates the dwelling contains 1,184 square feet of living area.

² The appraiser claims the dwelling features central air conditioning. The board of review does not list central air conditioning as a feature for the subject.

subject property as of March 24, 2009. The appraiser developed the sales comparison approach and the cost approach in estimating the fair market value of the subject property.

In the sales comparison approach, the appraiser considered three comparable properties. The comparables are located a distance of 0.2 to 0.4 of a mile from the subject. The lots range in size from 13,104 to 15,652 square feet of land area. Two comparables are split-level dwellings and one is a 1-story ranch dwelling. The comparables are frame or brick and frame construction. They range in size from 1,050 to 1,208 square feet of living area and range in age from 32 to 54 years having been built from 1955 to 1977. The comparables feature full basements, two with finished area, central air conditioning and 2-car garages. One comparable features a fireplace. These comparables sold between January and March 2009 for prices ranging from \$182,000 to \$215,000 or from \$169.93 to \$193.33 per square foot of living area including land.

The appraiser adjusted the comparables for view, quality of construction, condition, gross living area, basement/foundation type and finish and fireplaces. The final adjusted sale prices of the comparables range from \$176,000 to \$217,000 or from \$164.33 to \$197.62 per square foot of living area including land. Based on these comparables the appraiser estimated the subject's fair market value to be \$205,000 or \$169.70 per square foot of living area including land as of March 24, 2009 using the sales comparison approach.

In the cost approach the appraiser estimated the value of the subject to be \$224,821 or \$186.11 per square foot of living area including land.

In the reconciliation, the appraiser gave greatest weight to the sales comparison approach since there was adequate comparable market data to develop a reliable sales comparison approach. Based on this evidence, the appellant requested that the subject's assessment be reduced to \$68,333 which would reflect a market value of approximately \$205,000 at the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$82,050 was disclosed. The subject's assessment reflects an estimated market value of \$246,693 or \$204.22 per square foot of living area, land included, using the 2009 three-year median level of assessments for DuPage County of 33.26% as determined by the Illinois Department of Revenue. (86 Ill.Admin.Code Sec. 1910.50(c)(1)).

In support of the subject's assessed value, the board of review submitted a grid analysis and property record cards for four comparable properties. The board of review also included the appellant's comparables in their grid analysis and submitted property record cards for them. The board of review's four comparables range in age from 52 to 60 years having been built from 1949 through 1957 and range in size from 960 to 1,532 square

feet of living area. The comparables are 1, 1½ or 2-story dwellings of frame construction with no basements. The comparables feature garages that range in size from 308 to 1,064 square feet. The comparables sold from July 2007 through October 2009 for prices ranging from \$195,000 to \$314,000 or from \$180.56 to \$225.96 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 this appeal. The Property Tax Appeal Board further finds the evidence in the record supports a reduction in the subject's assessment.

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 must be proven 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). 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 Sec. 1910.65(c)). After an analysis of the evidence in the record, the Board finds a reduction in the subject's assessment is warranted.

Initially, the Board finds the correct size of the subject to be approximately 1,208 square feet of living area. The appraiser claims the subject contains 1,208 square feet of living area and submitted a detailed schematic drawing of the subject with dimensions in the appraisal. The board of review claims the subject contains 1,200 square feet of living area and submitted a property record card with dimensions to support the claim. The diagram on the property record card indicates the dwelling contains 1,184 square feet of living area. Based on this record, the Board finds the subject has a dwelling size of approximately 1,208 square feet of living area.

The Board finds the appellant submitted an appraisal of the subject property with a final value conclusion of \$205,000 as of the subject's valuation date of March 24, 2009. Reasonable adjustments were made to the comparables for differences between the subject.

The board of review submitted four comparable sales. Comparables #2 and #4 sold more than a year prior to the subject's assessment date of January 1, 2009, and comparables #2 and #3 differed significantly from the subject in size. Therefore these comparables received less weight in the Board's analysis. Comparable #1 was most similar to the subject and sold for \$195,000 or \$180.56 per square foot of living area, land included, which is less than the subject's estimated market value of \$246,693 or \$204.22 and supports the appraisal value

conclusion of \$205,000 or \$169.70 per square foot of living area including land.

Therefore, the Board finds the appraisal report to be the best evidence of market value in the record. The Board further finds the subject property is overvalued and a reduction in the subject's assessment is warranted in accordance with the appellant's request.

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.

Donald 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: June 22, 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.