



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

APPELLANT: Daniel Koors
DOCKET NO.: 09-04670.001-R-1
PARCEL NO.: 09-06-307-004

The parties of record before the Property Tax Appeal Board are Daniel Koors, the appellant; 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: \$112,720
IMPR.: \$195,614
TOTAL: \$308,334

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 36,300 square foot parcel that is improved with a four year-old, two-story style frame and masonry dwelling that contains 4,092 square feet of living area. Features of the home include central air conditioning, a fireplace, a three-car garage and a full unfinished basement. The subject is located in Downers Grove, Downers Grove Township, DuPage County.

The appellant submitted evidence to the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted a settlement statement detailing the subject's sale on April 27, 2009 for \$925,000. The appellant's petition indicated the subject was purchased through a realtor after having been advertised for sale through the Multiple Listing Service since 2006. The appellant further indicated the transfer was not between related parties. The appellant also indicated \$15,000 was spent on renovation prior to occupancy.

In further support of the overvaluation argument, the appellant submitted an appraisal in which the appraiser estimated the subject's market value at \$960,000 as of the report's effective date of April 8, 2009. Finally, the appellant submitted the board of review's final decision, which depicts a 2009 total assessment of \$369,530, reflecting a market value of approximately \$1,108,590. Based on this evidence the appellant requested the subject's total assessment be reduced to \$308,334 to reflect the April 2009 purchase price of \$925,000.

The board of review did not submit its "Board of Review Notes on Appeal" or any evidence in support of its assessed valuation of the subject property.

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 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 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 appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant in this appeal submitted evidence detailing the subject's sale in April 2009 for \$925,000. The appellant also submitted an appraisal of the subject property with a market value estimate of \$960,000 as of the report's effective date of April 8, 2009. The board of review did not submit any evidence in support of its assessment of the subject property, or to refute the appellant's argument as required by section 1910.40(a) of the rules of the Property Tax Appeal Board and is found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board.

The Board finds the best evidence of the subject's market value is its April 2009 sale for \$925,000. This sale appears to have the elements of an arm's-length transaction. Based on this record, the Board finds the appellant has met his burden of proving overvaluation by a preponderance of the evidence and the subject's assessment is incorrect and a 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.

Donald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario Morris

Member

J.R.

Acting 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: December 23, 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.