



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

APPELLANT: Manmohan Minhas
DOCKET NO.: 09-04800.001-R-1
PARCEL NO.: 02-14-401-056

The parties of record before the Property Tax Appeal Board are Manmohan Minhas, the appellant, by attorney Dennis M. Nolan, of Dennis M. Nolan, P.C., in Bartlett; 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: \$58,180
IMPR: \$244,120
TOTAL: \$302,300

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a two-story single family dwelling of brick exterior construction that contains 4,763 square feet of living area.¹ Features include a full unfinished basement, central air conditioning, a fireplace and a three-car attached garage. The dwelling is approximately 6 years old. The subject has a 12,690 square foot parcel and is located in Bloomingdale, Bloomingdale Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted a Summary Appraisal Report - Residential prepared by Michel Ribet, a State of Illinois Certified Residential Real Estate Appraiser. The appraisal report further indicated the purpose of the appraisal

¹ The appraisal contained a schematic diagram of the subject in support of the dwelling size. The board of review evidence indicated the subject dwelling had 4,490 square feet of living area but provided no diagram or dimensions to support this estimate of size. The Board finds the appraisal contained the most credible estimate of the subject's dwelling size in this record.

was to estimate the market value of the fee simple interest. The appraisal also indicated the subject backs to a golf course, which creates a positive effect to value and marketability. Using the cost approach to value and the sales comparison approach to value the appraiser estimated the subject property had a market value of \$822,000 as of January 1, 2008.

Under the cost approach the appraiser estimated the subject had a site value of \$340,000 using three land sales located in Bloomingdale and Medinah. The replacement cost new of the building improvements was estimated to be \$517,505 using information from the www.building-cost.net valuation system. The appraiser estimated the subject suffered from \$39,796 in physical depreciation using the age-life method. The appraiser also estimated the subject site improvements had a contributory value of \$5,000. Deducting depreciation and adding the value for the site improvements and the land value resulted in an estimated value under the cost approach of \$822,709.

In the sales comparison approach the appraiser used three comparable sales improved with two-story style dwellings of brick or brick and frame exterior construction that ranged in size from 3,598 to 4,936 square feet of living area. The comparables ranged in age from 1 to 7 years old. The appraiser identified comparables #1 and #3 as having golf course locations. Each comparable had a full unfinished basement, central air conditioning, one fireplace and a three-car garage. The properties were located in Bloomingdale. The sales occurred from June 2007 to November 2007 for prices ranging from \$740,000 to \$835,000 or from \$160.05 to \$232.07 per square foot of living area, including land. The appraiser made adjustments to the comparables for differences from the subject and arrived at adjusted prices ranging from \$790,640 to \$881,520. Based on these sales the appraiser estimated the subject had an indicated value under the sales comparison approach of \$822,000.

In reconciling the two approaches the appraiser gave most weight to the sales comparison approach and estimated the subject had a market value of \$822,000 as of January 1, 2008.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$302,300 was disclosed. The subject's assessment reflects a market value of \$908,900 or \$190.83 per square foot of living area, including land, when using the 2009 three year median level of assessments for DuPage County of 33.26%.

In support of the assessment, the board of review submitted an addendum to the board of review notes on appeal and Exhibit #1, an analysis prepared by the township assessor's office. In a grid analysis, the assessor detailed the appellant's comparables. The assessor's analysis disclosed that two of the land sales used in the appraisal were subsequently improved in 2006 and 2007. These two comparables are improved with two-story style dwellings of brick construction that have 3,508 and 4,396 square feet of

living area. Each comparable has a full or partial unfinished basement. Additionally, each comparable has central air conditioning, a fireplace and a three-car attached garage. One comparable sold in April 2007 for \$948,000 or \$215.65 per square foot of living area, including land.

The assessor also provided four additional comparables. These comparables are improved with two-story style dwellings of brick or brick and frame construction that have either 4,474 or 4,475 square feet of living area. The comparables were constructed in 2001 and 2002. Each comparable has a full or partial basement with one being partially finished. Additionally, each comparable has central air conditioning, a fireplace and a three-car attached garage. One comparable sold in May 2006 for \$929,900 or \$207.85 per square foot of living area, including land. Based on this record, 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 the appeal. The Board further finds the evidence in the record does not support 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). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. (86 Ill.Admin.Code §1910.65(c)). The Board finds the sales data in the record do not support a reduction in the subject's assessment.

The Board finds the appellant submitted an appraisal of the subject property with a final value conclusion of \$822,000 as of January 1, 2008. The effective valuation date of the appraisal is 12 months prior the subject's January 1, 2009 assessment date. The appraiser did not adjust the three comparables for their sale dates. Therefore, the Board finds the value conclusion in the appraisal report is not a reliable and valid indicator of the subject's estimated market value as of January 1, 2009. However, the Board will examine the raw sales presented in the record.

The Board finds this record contains nine comparables submitted by both parties in support of their respective positions. The Property Tax Appeal Board gave no weight to the appellant's appraisal land sale #1 identified by property index number 02-23-220-008; and assessor comparables #2, #3 and #4 further identified by property index numbers 02-14-404-003, 02-14-401-063 and 02-14-405-020. These four comparables provided assessment information and did not address the appellant's market value argument. The Board gave less weight to appellant's appraiser's improved sales #1 and #3 further identified by property index

numbers 02-14-401-051 and 02-14-401-069. These comparables were more than 1,000 square feet smaller than the subject property. The Board also gave less weight to assessor's comparable #1 further identified by property index number 02-14-402-020 submitted by the board of review. This sale occurred in May 2006, which is less indicative of fair market value as of the subject's January 1, 2009 assessment date. The Board gave the greatest weight to appellant's appraiser's improved sale #2 further identified by property index number 02-14-403-011 and appellant's appraiser's land sale #2 further identified by property index number 02-22-107-010, after it had been improved. Property index number 02-22-107-010 has a slightly smaller building size and property index number 02-14-403-011 has a larger building size than the subject property, but the comparables were similar to the subject in location, age, design and construction. These comparables sold in April 2007 and June 2007 for sale prices of \$790,000 and \$948,000 or \$160.05 and \$215.65 per square foot of living area, including land. The subject's assessment reflects a market value of \$908,900 or \$190.83 per square foot of living area, including land, which falls within the most similar comparable sales contained in this record. The subject's assessment also reflects a market value below four of the five sales on a per square foot basis.

After reviewing the record and considering the comparable sales submitted by the parties, the Property Tax Appeal Board finds a reduction in the subject's assessment is not justified.

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

Mark 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 22, 2013

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.