



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

APPELLANT: Sidney Ratner  
DOCKET NO.: 09-04845.001-R-1  
PARCEL NO.: 08-35-303-026

The parties of record before the Property Tax Appeal Board are Sidney Ratner, the appellant, by attorney Larry C. Jurgens, of Sanchez, Daniels & Hoffman 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:** \$87,340  
**IMPR:** \$145,480  
**TOTAL:** \$232,820

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a 2-story dwelling which was built in 2004. The dwelling is brick and frame construction and contains 3,837 square feet of living area<sup>1</sup>. Features of the home include a full basement with finished area, central air conditioning, a fireplace<sup>2</sup> and a 3-car garage. The dwelling is located in Woodridge, Lisle Township, DuPage County.

The appellant's appeal is based on overvaluation. The appellant submitted an appraisal report prepared by William Hall of Alpha Valuations in which a market value of \$700,000 or \$182.43 per square foot of living area including land was estimated for the subject property as of January 1, 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 2.55 miles to 2.59 miles from the subject. The comparables are 2-story dwellings of frame and masonry construction. They range in

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<sup>1</sup> The board of review claims the dwelling contains 3,838 square feet of living area.

<sup>2</sup> The appraiser did not include any information on fireplaces for the subject or the comparables.

size from 3,466 to 4,456 square feet of living area and are either 1 or 19 years old. The comparables feature full basements, one with finished area, central air conditioning and 2 or 3-car garages. The appraiser did not include information on fireplaces. The comparables sold between June and September 2008 for prices ranging from \$632,000 to \$720,990 or from \$148.10 to \$189.98 per square foot of living area including land.

The appraiser adjusted the comparables for age, room count, gross living area, basement finish, porch/patio/deck, garage size and upgrades. The final adjusted sale prices of the comparables range from \$671,497 to \$709,990 or from \$150.70 to \$202.78 per square foot of living area including land. Based on these comparables the appraiser estimated the subject's fair market value to be \$700,000 or \$182.43 per square foot of living area including land as of January 1, 2009.

In the cost approach the appraiser estimated the fair market value of the subject to be \$708,687 or \$184.70 per square foot of living area including land.

In reconciliation the appraiser valued the subject at \$700,000 with greater weight given to the sales comparison approach.

The appellant's attorney submitted a memorandum in support of the assessment complaint.

Based on this evidence, the appellant requested that the subject's assessment be reduced to \$233,333 which would reflect a market value of approximately \$700,000 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 \$286,370 was disclosed. The subject's assessment reflects an estimated market value of \$861,004 or \$224.40 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 of six comparables and included the appellant's three comparables. The board of review's comparables are 2-story brick or frame dwellings built between 1979 and 2007. These comparables range in size from 3,643 to 4,223 square feet of living area. The comparables feature full unfinished basements, central air conditioning, 1 to 3 fireplaces and garages that contain between 609 and 860 square feet. Five of these comparables sold from April 2004 to June 2007 for prices ranging from \$747,000 to \$890,072 or from \$196.94 to \$234.70 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 (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 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 3,837 square feet of living area based on the best evidence in the record.

The Board finds the appellant submitted an appraisal of the subject property with a final value conclusion of \$700,000 as of the subject's assessment date of January 1, 2009. The appraiser used comparables similar to the subject although not necessarily in close proximity to the subject and made reasonable adjustments to the sales.

The board of review submitted six comparables, five of which were sales. The comparables sold from 2004 to 2007, which are dated and not reliable indicators of market value as of the subject's January 1, 2009 assessment date. Therefore these comparables received little weight in the Board's analysis.

Based on this record, the Board finds that the appraisal report is the best evidence of market value in the record. The Board further finds that the subject had a fair market value of \$700,000 as of January 1, 2009. Since market value has been determined, the 2009 DuPage county three-year median level of assessments of 33.26% shall apply.

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: July 20, 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.