



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

APPELLANT: Ann & John Harris
DOCKET NO.: 09-04915.001-R-1
PARCEL NO.: 06-06-301-045

The parties of record before the Property Tax Appeal Board are Ann & John Harris, the appellants; 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: \$30,950
IMPR: \$120,620
TOTAL: \$151,570

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 2,256 square feet of living area. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a 2-car garage. The dwelling is located in Lombard, York Township, DuPage County.

The appellants' appeal is based on overvaluation. The appellants submitted an appraisal report prepared by Cory Westerhoff in which a market value of \$415,000 or \$183.95 per square foot of living area including land was estimated for the subject property as of April 22, 2010, over a year after the subject's assessment date of January 1, 2009. The appraiser developed the sales comparison approach in estimating the fair market value of the subject property.

In the sales comparison approach, the appraiser considered six comparable properties that sold or were listed between May 2009 and April 2010 for prices ranging from \$360,000 to \$519,900 or from \$166.73 to \$202.00 per square foot of living area including land.

The appraiser adjusted the comparables for their differences with the subject. The final adjusted sale prices of the comparables

range from \$377,000 to \$459,000 or from \$153.60 to \$183.60 per square foot of living area including land. Based on these comparables the appraiser estimated the subject's fair market value to be \$415,000 or \$183.95 per square foot of living area including land as of April 22, 2010.

Based on this evidence, the appellants requested that the subject's fair market value be reduced to \$415,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$159,470 was disclosed. The subject's assessment reflects an estimated market value of \$479,465 or \$212.53 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 property record cards for all parties' comparables and a grid analysis. The board of review's comparable #2 is the same property as the appellants' comparable #3. The board of review's comparables are 2-story frame or frame and masonry dwellings built from 2002 to 2004. These comparables range in size from 1,991 to 2,738 square feet of living area. The comparables feature full basements, one with finished area, central air conditioning and 2 or 3-car garages. Five comparables features fireplaces. Three of these comparables sold from March 2008 to January 2010 for prices ranging from \$282,000 to \$505,000 or from \$102.99 to \$202.00 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 appellants contend 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.

The Board finds the appellants submitted an appraisal of the subject property with a final value conclusion of \$415,000 as of April 22, 2010, more than a year past the subject's assessment date of January 1, 2009. Since this was a bank appraisal and not an appraisal for tax purposes, the appraiser did not adjust the

final value conclusion for the 16 month difference between the appraisal date and the assessment date. The Board finds it impossible to determine the value of the subject as of January 1, 2009 from the appraisal report. Therefore, the value conclusion in this appraisal received little weight in the Board's analysis.

Having discounted the value conclusion contained in the appraisal, the Board will examine all of the sales presented in the record.

The Board finds all parties submitted twelve comparable properties for consideration. These comparables were 2-story dwellings built between 1951 and 2005 and ranging in size from 1,991 to 2,900 square feet of living area. The comparables sold from March 2008 through April 2010 or were listed for prices ranging from \$282,000 to \$519,900 or from \$102.99 to \$202.00 per square foot of living area including land.

The appellants' comparables #4, #5 and #6 and the board of review's comparable #4 were significantly larger than the subject. Comparables #1, #5 and #6 submitted by the board of review were not sales. The board of review's comparable #4 and the appellants' comparables #2, #5 and #6 sale dates were more distant from the subject than the other comparables. And appellants' comparable #1 was significantly older than the subject, in spite of the appraiser's claim of remodeling. Therefore these comparables received less weight in the Board's analysis.

The Board finds the appellants' comparable #3 (which is the same property as the board of review's comparable #2) and the board of review's comparables #2 and #3 were most similar to the subject in size, lot size, style, age and features and had recently sold. These comparables sold in March 2008 and August 2009 for \$458,000 and \$505,000 or for \$186.18 and \$202.00 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$479,465 or \$212.53 per square foot of living area, land included, which is greater than these most similar comparables on a square foot basis.

Based on this record, the Board finds the appellants have proven by a preponderance of the evidence that the subject is overvalued, and a reduction in the subject's assessment 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: 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.