FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Sean & Eileen O'Kane
DOCKET NO.: 09-05133.001-R-1
PARCEL NO.: 09-11-223-010

The parties of record before the Property Tax Appeal Board are Sean & Eileen O'Kane, the appellants, by attorney Patrick J. Smith of the Law Office of Patrick J. Smith, Downers Grove; 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:	$68,390
IMPR.:	$194,360
TOTAL:	$262,750

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a three-story dwelling of brick and frame exterior construction. The dwelling contains 2,902 square feet of living area and is approximately 8 years old. Features include a full unfinished basement, central air conditioning, a fireplace and a two-car attached garage. The dwelling is situated on a 6,250 square foot lot located Downers Grove Township, DuPage County, Illinois.

The appellants submitted evidence before the Property Tax Appeal Board claiming the subject's assessment is not reflective of fair market value. In support of the overvaluation argument, the appellants submitted an appraisal of the subject property prepared by a state licensed appraiser. The appraisal report conveyed an estimated market value of $790,000 as of December 31, 2008. The appraiser developed the sales comparison approach to value using four suggested comparable sales in arriving at the final value conclusion.

The appellants also submitted the DuPage County Board of Review final decision regarding the subject property. The subject

property has a total assessment of $361,500, which reflects an estimated market value of $1,086,891, using DuPage County's 2009 three-year median level of assessments of 33.26% as determined by the Illinois Department of Revenue. Based on this evidence, the appellants requested a reduction in the subject's assessed valuation.

The board of review did not submit its "Board of Review Notes on Appeal" nor any evidence in support of its assessed valuation of the subject property as required by Section 1910.40(a) of the rules of the Property Tax Appeal Board. (86 Ill.Adm.Code §1910.40(a)). Therefore, the DuPage County Board of review was found to be in default.

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 a reduction in the subject property's assessment is warranted.

The appellants in this appeal submitted an appraisal report estimating the subject property had a fair market value of $790,000 as of December 31, 2008. The board of review did not submit any evidence in support of its assessment of the subject property as required by Section 1910.40(a) of the rules of the Property Tax Appeal Board (86 Ill.Adm.Code §1910.40(a)) or refute the valuation evidence submitted by the appellants. The Board finds the best evidence of the subject property's fair market value contained in this record is appraisal submitted by the appellants. The appraisal report conveyed an estimated fair market value of $790,000 as of December 31, 2008. The subject property's final assessment reflects an estimated market value of $1,086,891, which is considerably greater than appraisal submitted by the appellants. Therefore, a reduction in the subject property's assessment is warranted.

Since fair market value has been established, DuPage County's 2009 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.

Chairman

Member

Member

Member

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

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.