



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

APPELLANT: Laura Greenwald
DOCKET NO.: 09-05983.001-R-1
PARCEL NO.: 09-05-416-016

The parties of record before the Property Tax Appeal Board are Laura Greenwald, 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: \$69,820
IMPR.: \$24,970
TOTAL: \$94,790**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a 1-story brick dwelling which was built in 1948. The dwelling contains 1,297 square feet of living area¹. Features of the home include a partial basement with finished area², central air conditioning, a fireplace and a newer 2-car detached garage. The dwelling is located in Downers Grove, Downers Grove Township, DuPage County.

The appellant's appeal is based on overvaluation. The appellant submitted an appraisal report in which a market value of \$285,000 or \$219.74 per square foot of living area including land was estimated for the subject property as of February 19, 2008, ten months prior to the subject's assessment date of January 1, 2009. The appraisal was prepared for a refinance transaction and the appraiser developed the sales comparison approach in estimating the fair market value of the subject property.

The appraiser considered properties located a distance from .47 to .71 of a mile from the subject. The comparables are ranch

¹ The appraiser claims the subject dwelling contains 1,297 square feet of living area and submitted a detailed schematic drawing with dimensions to support the claim. The board of review claims the subject dwelling contains 1,455 square feet of living area and submitted a sketch of the subject with dimensions rounded to the nearest foot in support of the claim.

² The appraiser claims the subject's basement features one finished room and a bath. The board of review claims the subject's basement is unfinished.

style dwellings of brick or frame construction. They range in size from 864 to 1,302 square feet of living area and are either 54 or 56 years old. The comparables feature full basements with finished area, fireplaces, central air conditioning and 1 or 2-car garages. The comparables sold between August and December 2007 for prices ranging from \$266,000 to \$287,000 or from \$218.90 to \$307.90 per square foot of living area including land.

The appraiser adjusted the comparables for site, quality, gross living area, basement size and finish and garage size. The final adjusted sale prices of the comparables range from \$279,500 to \$291,500 or from \$219.66 to \$323.50 per square foot of living area including land. Based on these comparables the appraiser estimated the subject's fair market value to be \$285,000 or \$219.74 per square foot of living area including land as of February 19, 2008. The appraiser stated that comparable #3 was most similar to the subject in gross living area and garage size.

Based on this evidence, the appellant requested that the subject's assessment be reduced to \$95,000 which would reflect a market value of approximately \$285,000 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 \$130,410 was disclosed. The subject's assessment reflects an estimated market value of \$392,093 or \$302.31 per square foot of living area, land included, using the appraiser's size of 1,297 square feet of living area and 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 with sales information and property record cards for five comparable properties. The board of review's comparables are 1-story frame or brick dwellings built between 1949 and 1969. These comparables range in size from 1,122 to 1,590 square feet of living area. The comparables feature full or partial unfinished basements and garages that range in size from 308 to 528 square feet. Two comparables feature central air conditioning and one has a fireplace. These comparables sold from May 2006 to July 2007 for prices ranging from \$286,000 to \$390,000 or from \$245.28 to \$285.48 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 (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.

Initially, the Board finds the correct size of the subject is 1,297 square feet of living area based on the best information in the record as presented by the appraiser's detailed schematic drawing.

The board of review submitted five comparables which sold from May 2006 to July 2007 for prices ranging from \$286,000 to \$390,000 or from \$245.28 to \$285.48 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$392,093 or \$302.31 per square foot of living area, land included, which is greater than the range established by the board of review's comparables. This data indicates that the subject is overvalued.

The Board finds the appellant submitted an appraisal of the subject property with a final value conclusion of \$285,000 as of the subject's assessment date of February 19, 2008. The appraiser used comparables similar to the subject and made reasonable adjustments to the sales. 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 \$285,000 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.