



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

APPELLANT: Matt Yore
DOCKET NO.: 10-01594.001-R-1
PARCEL NO.: 04-28-412-009

The parties of record before the Property Tax Appeal Board are Matt Yore, 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: \$26,560
IMPR.: \$23,440
TOTAL: \$50,000

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a residence located in Warrenville, Winfield Township, DuPage County.

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. In support of this argument, the appellant completed Section IV of the Residential Appeal petition concerning the May 22, 2009 purchase of the subject property for \$135,500. The appellant reported the property was sold by U.S. Bank through Realtor Jonathon Blomquist from Midwest Executives. The property had been advertised for sale for a period of time in the Multiple Listing Service prior to purchase and the parties to the transaction were not related. Moreover, the seller's mortgage was not assumed. The appellant occupied the subject property as of June 30, 2009 after expending \$15,000 in renovation costs. In further support, the appellant attached a copy of the Settlement Statement reiterating the purchase price along with a copy of the Multiple Listing Service sheet depicting that the original list price of the subject property was \$180,000 and that the property was "sold as-is."

The appellant also submitted a copy of the board of review final decision wherein the subject's final assessment of \$74,100 was disclosed. The subject's assessment reflects a market value of approximately \$222,656 using the 2010 three-year median level of assessments in DuPage County of 33.28%. (86 Ill.Admin.Code §1910.50(c)(1)).

Based on this evidence the appellant requested the subject's assessment be reduced to \$50,000 which would reflect a market value of approximately \$150,000 (the purchase price plus renovation costs).

The board of review submitted its "Board of Review Notes on Appeal" which were postmarked on February 24, 2012. However, since the board of review was granted 90 days to submit this data by correspondence that was issued on October 28, 2011, in the absence of any extension of time, said submission by the board of review was untimely. By letter dated August 23, 2012, the board of review was found to be in default. (86 Ill.Admin.Code §1910.40(a) & (d) and 86 Ill.Admin.Code §1910.69(a)).

On August 27, 2012, the board of review requested that the default in this proceeding be vacated. The Property Tax Appeal Board considered this request of the board of review at its meeting held on September 11, 2012 and denied the request to vacate the default issued to the board of review in this proceeding (see letter issued September 12, 2012 to the board of review notifying it of this decision).

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 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 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, a recent arm's length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. (86 Ill.Admin.Code §1910.65(c)). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant in this appeal submitted the only evidence of market value in the record. The appellant submitted data on the May 2009 purchase of the subject property for \$135,500 and the expenditure of an additional \$15,000 in renovations prior to occupying the property. The subject's 2010 assessment reflects a market value of approximately \$222,656 which is substantially higher than its recent purchase price plus renovation costs.

The board of review did not submit any evidence in support of its assessment of the subject property or to refute the appellant's argument as required by Section 1910.40(a) of the Official Rules of the Property Tax Appeal Board. (86 Ill.Admin.Code §1910.40(a)).

The Property Tax Appeal Board has examined the information submitted by the appellant and finds, based on this limited evidence that was not refuted, a reduction in the assessed valuation of the subject property is justified. The Board finds based on the limited evidence submitted that the appellant's contention of market value of approximately \$150,000 as of January 1, 2010 is reasonable.

In conclusion, the Property Tax Appeal Board has examined the information submitted by the appellant and finds that it supports a reduction in the assessed valuation of the subject property commensurate with the appellant's request.

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: October 19, 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.