



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

APPELLANT: Erna Glisan
DOCKET NO.: 10-01649.001-R-1
PARCEL NO.: 10-05-205-011

The parties of record before the Property Tax Appeal Board are Erna Glisan, 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: \$57,870
IMPR: \$116,850
TOTAL: \$174,720

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story single family dwelling of frame construction that contains 3,226 square feet of living area. The dwelling was constructed in 1990. Features of the property include a partial unfinished basement, central air conditioning, a fireplace, a two-car attached garage and an in-ground swimming pool. The subject has a 13,232 square foot site and is located in Darien, Downers Grove Township, DuPage County.

The appellant contends overvaluation with respect to the subject's assessment for tax year 2010 as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales. The comparables were described as being improved with two-story dwellings of frame, brick or brick and frame construction that ranged in size from 3,040 and 3,627 square feet of living area. The dwellings ranged in age from 14 to 23 year old. Each of the comparables is reported to have a finished basement, central air conditioning, one or two fireplaces and garages ranging in size from 483 to 693 square feet of building area. The properties had sites ranging in size from 13,505 to 14,790 square feet of land area. These properties sold from August 2010 to January 2011 for prices ranging from \$469,999 to \$545,000 or from \$140.13 to \$171.05 per square foot of living area, including land.

The appellant also submitted portions of an appraisal of the subject property containing an estimate of value of \$525,000 as of September 14, 2010. The appraisal was prepared by Certified Residential Real Estate Appraiser, Sheila Krause of JSG Real Estate Services. The appraisal was prepared for refinancing purposes and the lender/client was Guaranteed Rate, Inc. The appellant submitted that portion of the appraisal that contained the sales comparison approach to value. The appraiser used three comparable sales of which comparable sales #1 and #2 were also submitted as appellant's comparable sales #2 and #3 in the grid analysis. The additional comparable was improved with a two-story dwelling of brick and cedar construction that had 2,895 square feet of living area. The dwelling was 13 years old. Features included a full finished English basement, central air conditioning, one fireplace and a three-car garage. This property sold in February 2010 for a price of \$505,000 or \$174.44 per square foot of living area, including land. The appraiser made adjustments to the comparables to account for differences from the subject property and determined these comparables had adjusted prices ranging from \$518,000 to \$539,000.

Based on this evidence the appellant requested the subject's assessment be reduced to \$161,666 which reflects a market value of approximately \$485,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$188,260 was disclosed. The subject's total assessment reflects a market value of \$565,685 or \$175.35 per square foot of living area, including land, using the 2010 three year average median level of assessment for DuPage County of 33.28%.

In support of the assessment the board of review submitted a grid analysis prepared by the Downers Grove Township Assessor containing the comparables submitted on behalf of the appellant and six comparables identified by the assessor. The six comparables submitted by the assessor were improved with part two-story and part one-story dwellings that ranged in size from 2,954 to 4,777 square feet of living area. The dwellings were constructed from 1989 to 2002. Each comparable had a full or partial unfinished basement, one fireplace and garages ranging in size from 528 to 805 square feet of building area. The property record cards for the comparables submitted by the board of review indicated that assessor comparables #3 through #6 had central air conditioning. The sales occurred from October 2007 to June 2010 for prices ranging from \$485,000 to \$790,000 or from \$159.34 to \$205.00 per square foot of living area, land included. Based on this evidence the board of review requested the assessment be confirmed.

The appellant submitted rebuttal evidence discussing the sales presented by the board of review.

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 the 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 of the subject property, a recent sale, comparable sales or construction costs. (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 record contains comparable sales identified by the appellant, the appellant's appraiser and the board of review in support of their respective positions. The Board finds the best comparables in this record include appellant's comparables #2, #3, and #4, (appellant's comparables #2 and #3 are the same as appraisal comparables #1 and #2), appraisal comparable #3 and board of review comparables #4 and #5. These six comparables were relatively similar to the subject in size ranging from 2,895 to 3,504 square feet of living area. The dwellings were constructed from 1988 to 2002 and had similar features as the subject except none were noted to have an in-ground swimming pool. The sales occurred from June 2009 to December 2010 for prices ranging from \$470,000 to \$555,000 or from \$140.13 to \$174.44 per square foot of living area, including land. The subject's total assessment of \$188,260 reflects a market value of \$565,685 or \$175.35 per square foot of living area, including land, which is above the range established by the best comparables in the record. The Board gave less weight to the remaining sales due to size and/or date of sale relative to the assessment date of January 1, 2010. The Board finds the best sales in this record support a reduction in the subject's assessment.

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: November 30, 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.