



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

APPELLANT: Paul T'Koy
DOCKET NO.: 10-02708.001-R-3
PARCEL NO.: 08-28-201-005

The parties of record before the Property Tax Appeal Board are Paul T'Koy, the appellant(s), by attorney Joanne Elliott, of Elliott & Associates, P.C. in Des Plaines; 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: \$254,350
IMPR.: \$450,580
TOTAL: \$704,930

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story single family dwelling with approximately 7,622 square feet of living area. The dwelling was constructed in 2001. Features of the home include a finished walk-out basement, central air conditioning, fireplaces and a three-car attached garage. The subject property has a 3.1 acre site and is located in Naperville, Lisle Township, DuPage County.

The Property Tax Appeal Board takes notice that the subject property is an owner occupied residence that was the subject matter of an appeal before the Property Tax Appeal Board for the 2009 tax year under Docket Number 09-06283.001-R-2. (See 86 Ill.Admin.Code 1910.90(i)). In that appeal the Property Tax Appeal Board issued a decision lowering the assessment of the subject property to \$741,960.

The appellant is challenging the assessment for the 2010 tax year on the basis of overvaluation. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$2,000,000 as of January 1, 2010. Additionally, the appellant submitted a copy of the board of review decision disclosing a total assessment of \$981,120, which

reflects a market value of approximately \$2,943,650 when applying the statutory level of assessments. Based on this evidence the appellant requested the subject's assessment be reduced to \$666,600 to reflect the appraised value.

The board of review did not timely submit its "Board of Review Notes on Appeal" and evidence in support of the assessed valuation of the subject property. The record disclosed, however, that for tax year 2010 Lisle Township had an equalization factor of .95010.

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. Pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185), the Board finds the assessment as established by decision for tax year 2009 should be carried forward to the 2010 tax year subject to equalization.

Section 16-185 of the Property Tax Code (35 ILCS 200/16-185) provides in part:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review.

Pursuant to Section 1910.90(i) of the rules of the Property Tax Appeal Board, the Board takes notice it issued a decision reducing the subject's assessment for the 2009 tax year to \$741,960. The record further indicates that the subject property is an owner occupied dwelling. Pursuant to section 1910.90(i) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code 1910.90(i)) the Board also takes notice tax years 2007 through 2010 are within the same general assessment period for DuPage County. (See 35 ILCS 200/9-215). The record contains no evidence that the subject property sold subsequent to the Board's decision for the 2009 tax year establishing a different fair cash value from which the Board's decision was based. Additionally, the decision of the Property Tax Appeal Board for the 2009 tax year has not been reversed or modified upon review. The Board further finds that for tax year 2010 an equalization factor of .95010 was applied in Lisle Township. Based on this record and pursuant to section 16-185 of the Property Tax Code the Property Tax Appeal Board finds a reduction in the subject's assessment is justified to reflect the Board's decision for the 2009 tax year plus the application of the equalization factor.

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

Marko M. Louie

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: February 22, 2013

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.