



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

APPELLANT: Mark Hogan
DOCKET NO.: 10-03000.001-R-1
PARCEL NO.: 03-05-411-001

The parties of record before the Property Tax Appeal Board are Mark Hogan, 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: \$67,830
IMPR.: \$127,150
TOTAL: \$194,980

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story single family dwelling of brick construction that contains 3,758 square feet of living area. The dwelling was constructed in 1988. Features of the home include a partial unfinished basement, central air conditioning, one fireplace and an 818 square foot attached garage. The subject property has a 21,216 square foot site and is located in Itasca, Addison Township, DuPage County.

The appellant contends both assessment inequity and overvaluation as the bases of the appeal. In support of the overvaluation argument the appellant submitted an appraisal estimating the subject property had a market value of \$585,000 as of December 21, 2009. The appellant also identified one recent comparable sale improved with a two-story single family dwelling of frame and brick construction with 2,952 square feet of living area. The comparable dwelling was constructed in 1989 and has similar features as the subject dwelling with the exception of a smaller garage with 550 square feet. This property sold in February 2010 for a price of \$500,000 or \$169.38 per square foot of living area. This property had a land assessment of \$74,590 and an improvement assessment of \$118,300 or \$40.07 per square foot of living area.

In support of the assessment inequity argument the appellant submitted descriptions and assessment information on six comparables. The comparables were improved with two-story dwellings of brick or frame and brick construction that ranged in size from 2,908 to 3,758 square feet of living area. The dwellings were constructed from 1988 to 1990 and had similar features as the subject property. The data provided by the appellant indicated the comparables had land assessments ranging from \$67,830 to \$74,590 and improvement assessments ranging from \$94,860 to \$140,280 or from \$32.62 to \$37.33 per square foot of living area. The appellant reported equity comparables #1 through #4 sold from May 2006 to May 2008 for a prices ranging from \$507,500 to \$659,900 or from \$172.08 to \$179.81 per square foot of living area, land included.

The appellant also submitted a copy of the decision issued by the board of review establishing a total assessment of \$208,110 and an improvement assessment of \$140,280 or \$37.33 per square foot of living area. The total assessment for the subject reflects a market value of approximately \$624,392 or \$166.15 per square foot of living area, including land, using the statutory level of assessments. Based on this evidence the appellant requested the subject's assessment be reduced to \$135,900.

The board of review did not timely submit its "Board of Review Notes on Appeal" and evidence in support of its assessed valuation of the subject property.

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 in part 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 Board finds the best evidence of market value in the record is the appraisal submitted by the appellant estimating the subject property had a market value of \$585,000 as of December 21, 2009. The Board finds the subject's assessment reflects a market value greater than the appraised value presented by the appellant. The board of review did not timely submit any evidence in support of the assessment of the subject property or to refute the appellant's market value argument as required by section 1910.40(a) of the rules of the Property Tax Appeal Board

and is found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board. (86 Ill.Admin.Code 1910.40(a) & 1910.69(a)). Based on this record the Property Tax Appeal Board finds the subject property had a market value of \$585,000 as of January 1, 2010 and a reduction in the subject's assessment is justified.

The Board further finds, after considering the reduction to the subject's assessment based on the market value finding herein, a further reduction based on assessment inequity is not justified.

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



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 21, 2012



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.