



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

APPELLANT: Nancy Monson
DOCKET NO.: 10-03520.001-R-1
PARCEL NO.: 01-15-102-008

The parties of record before the Property Tax Appeal Board are Nancy Monson, 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: \$44,000
IMPR.: \$100,000
TOTAL: \$144,000**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a part one-story and part two-story dwelling of frame and masonry construction containing 2,997 square feet of living area. The dwelling was constructed in 1984. Features of the home include a full basement that is partially finished, central air conditioning, two fireplaces and an attached two-car garage of 575 square feet of building area. The property has a 43,919 square foot site on an interior wooded lot and is located in Bartlett, Wayne Township, DuPage County.

The appellant's appeal is based on overvaluation.¹ In support of this argument, the appellant completed the Section V grid analysis with information on four comparable sales. The comparables were located from 2 to 3.9-miles from the subject and were described as two-story or part one-story and part two-story dwellings of frame or frame and masonry construction. The homes range in size from 2,467 to 3,242 square feet of living area and were constructed from 1987 to 1995. Features of the comparables include a basement which is finished, central air conditioning and a garage ranging in size from 360 to 620 square feet of building area. The comparables have sites ranging in size from 11,351 to 33,390 square feet of land area. The comparables sold

¹ As bases of this appeal, the appellant marked both comparable sales and recent appraisal. No recent appraisal was presented, however, the appellant's additional market value evidence will be discussed herein.

from August 2008 to October 2009 for prices ranging from \$275,000 to \$425,000 or from \$102.92 to \$134.13 per square foot of living area, including land.

The appellant also submitted a four-page document entitled "ValueFinder" from LandSafe Real Estate Closing Services with an estimated value of \$314,000 for the subject property. The document depicted "uncertainty: ±14%; confidence score: 77."

Based on this evidence, the appellant requested a reduction in the subject's total assessment to \$144,000 which would reflect a market value of approximately \$432,000 or \$144.14 per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeals" wherein the subject's total assessment of \$164,510 was disclosed. The subject's assessment reflects a market value of \$494,321 or \$164.94 per square foot of living area, including land, when applying the 2010 three year average median level of assessment for DuPage County of 33.28% as determined by the Illinois Department of Revenue.

The board of review submitted its Addendum along with Exhibit 1 consisting of data prepared by the Wayne Township Assessor's Office. As to the appellant's comparables, the assessor noted each property was from $\frac{3}{4}$ to 2-miles from the subject dwelling. Additionally, appellant's comparable #1 was reported to be "a distressed home" which is located on a state highway. The assessor provided a copy of the Multiple Listing Service sheet for this sale which included remarks: "Great investment/nice 4 bedroom home that needs some TLC" The assessor also contends that appellant's comparable #2 is in a dissimilar, more modest neighborhood than the subject.

In support of the subject's estimated market value, the assessor presented information on six comparable sales. None of these comparables has the same neighborhood code as the subject property. The assessor reported these comparables were from $\frac{3}{4}$ to 2.5-miles from the subject property. These properties are improved with 1.5-story or 2-story dwellings of frame and masonry construction that range in size from 2,552 to 3,142 square feet of living area. The dwellings were constructed from 1988 to 2002. Features of the comparables include a basement, four of which include finished area. Each home has central air conditioning and a two-car or a three-car garage. Four comparables have one or two fireplaces. The comparables have sites ranging in size from 8,653 to 40,037 square feet of land area; three were interior lots, one was a corner lot and two were cul-de-sac lots, one of which was also wooded. The comparables sold from April 2008 to August 2009 for prices ranging from \$393,000 to \$535,000 or from \$146.15 to \$170.27 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 Board further finds a reduction in the subject's assessment is warranted.

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); 86 Ill.Admin.Code §1910.63(e). 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.

In support of the overvaluation argument, the appellant submitted four pages from the LandSafe Real Estate Closing Services indicating the subject had an estimated value of \$314,000. The Board gives this evidence no weight. The effective date of the estimate of value was September 7, 2010. The report did not have a definition of market value that was used in the report and there was no information with respect to the credentials or qualifications of the person or persons providing the "ValueFinder" estimate of value. Most importantly, on page one the document stated, "Statistical model used. No comparables found." Thus, there was no data such as a description of the comparable sales and the sale dates that were used to establish the "ValueFinder" estimate of value for the subject property. Without this information, the Property Tax Appeal Board cannot determine the reliability and validity of the estimate of value.

The parties submitted a total of ten comparable sales. The Board has given most weight to appellant's comparable #4 and board of review comparables #3, #4 and #5 as these sales occurred between February and October 2009, a date most proximate on this record to the assessment date of January 1, 2010. In addition, these dwellings were within 2-miles of the subject home and ranged in size from 2,577 to 2,908 square feet of living area. These four comparables were also most similar to the subject in style, exterior construction, features and/or age. Due to their similarities to the subject, these comparables received the most weight in the Board's analysis. The comparables sold for prices ranging from \$380,000 to \$457,500 or from \$134.13 to \$160.30 per square foot of living area, including land. The subject's assessment reflects a market value of \$494,321 or \$164.94 per square foot of living area, including land, which is above the range established by the best comparable sales in this record on a per-square-foot basis and also in terms of overall value. The Board finds that the subject's higher value is not justified given that the subject was built in 1984 and the most similar comparables are all newer having been built between 1993 and 2002.

Based on this record, the Board finds the appellant did demonstrate by a preponderance of the evidence that the subject was overvalued and a reduction in the subject's assessment commensurate with the appellant's request is 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.

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 18, 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.