



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

APPELLANT: Marcus Zeilstra
DOCKET NO.: 11-01601.001-R-1
PARCEL NO.: 06-13-114-009

The parties of record before the Property Tax Appeal Board are Marcus Zeilstra, 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: \$53,060
IMPR.: \$28,160
TOTAL: \$81,220

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story single family dwelling of frame construction that contains 1,558 square feet of living area. The dwelling was constructed in 1955. Features of the home include a full basement, central air conditioning and a two-car detached garage. The property has a 7,602 square foot site and is located in Elmhurst, York Township, DuPage County.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted evidence disclosing the subject property was purchased on October 16, 2009 for a price of \$150,000. The appellant completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, the property was sold by the owner, the property had been advertised on the open market with a sign in the yard for 8 months. The appellant also indicated he spent \$50,000 on renovating the dwelling prior to occupying the home in December 2009. In further support of the transaction, the appellant submitted a copy of the Closing Statement reiterating the sale date and price. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$109,880 was disclosed. The subject's assessment reflects a market value of \$331,463 or \$212.75 per square foot of living area, including land, when applying the 2011 three year average median level of assessment for DuPage County of 33.15% as determined by the Illinois Department of Revenue. (86 Ill.Admin.Code §1910.50(c)(1)).

In support of the assessment the board of review submitted a spreadsheet prepared by the York Township Assessor's Office with information on six comparable sales located in the same neighborhood code assigned by the assessor as the subject property. The comparables are improved with one-story dwellings of masonry or frame and masonry construction that range in size from 1,304 to 1,670 square feet of living area. The dwellings were constructed from 1955 to 1962. Features of the comparables include a full basement and a one-car or a two-car garage. The comparables have sites ranging in size from 7,000 to 8,185 square feet of land area. The comparables sold from July 2010 to June 2011 for prices ranging from \$241,000 to \$362,000 or from \$176.30 to \$217.32 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.

The appellant presented evidence of the October 16, 2009 purchase price of the subject for \$150,000 plus the cost of renovations of \$50,000 for a total investment in 2009 of \$200,000. The date of sale occurred approximately 14 months prior to the assessment date of January 1, 2011 and the renovations were completed approximately 13 months prior to the assessment date.

The board of review presented six sales, each of which have superior exterior construction when compared to the subject's frame construction, but in other respects the comparable sales are similar to the subject in location, lot size, dwelling size, age, foundation and features. The subject is, however, superior

in dwelling size and basement size as compared to each of these comparable sales. The six comparables sold from July 2010 to June 2011 for prices ranging from \$241,000 to \$362,000 or from \$176.30 to \$217.32 per square foot of living area, including land. These sale dates which bracket the assessment date at issue of January 1, 2011, whereas the sale of the subject is somewhat dated as of January 1, 2011.

While the subject's estimated market value based on its assessment of \$331,463 or \$212.75 per square foot of living area, including land, falls within the range of the sales presented by the board of review, the Property Tax Appeal Board recognizes that the subject sold in October 2009 for \$150,000 and required renovations in the amount of \$50,000 prior to occupancy. The subject's sale price plus renovation costs in late 2009 reflect a value of \$200,000, indicating that there were issues regarding the condition of the subject property at the time of sale.

Based on this record, the Board finds the subject property is overvalued based on its assessment and condition issues, therefore a reduction in the subject's assessment is warranted.

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 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.