



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

APPELLANT: Frank Di Iorio
DOCKET NO.: 11-02674.001-R-1
PARCEL NO.: 09-07-207-006

The parties of record before the Property Tax Appeal Board are Frank Di Iorio, the appellant, by attorney Liat R. Meisler, of Golan & Christie LLP in Chicago; and the DuPage County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change 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: \$76,510
IMPR.: \$256,450
TOTAL: \$332,960

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the DuPage County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2011 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property consists of a part two-story and part one-story dwelling of frame and brick exterior construction with 3,962 square feet of living area. The dwelling was constructed in 2005 and is a 1.8 quality construction. Features of the home include a full, 75% finished basement, central air conditioning, a fireplace and an attached garage containing 844 square feet of building area. The property has a 15,002 square foot site and is located in Downers Grove, Downers Grove Township, DuPage County.

The appellant appeared before the Property Tax Appeal Board through counsel, contending assessment inequity as the basis of the appeal. The appellant did not challenge the subject's land assessment. In support of this argument, the appellant submitted information on twelve equity comparables located in the same neighborhood code assigned by the township assessor as the subject property. The comparables have varying degrees of similarity when compared to the subject.

The appellant's attorney called no witnesses and acknowledged that her paralegal with over 10 years experience prepared the evidence. He was not present at the hearing to testify and be cross-examined.

The appellant requested the assessment be reduced based on the evidence submitted.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$332,960. The subject property has an improvement assessment of \$256,450 or \$64.73 per square foot of living area.

In support of its contention of the correct assessment, the board of review submitted a narrative report detailing both parties' comparables which was prepared by Joni Gaddis, Chief Deputy Assessor for Downers Grove Township. Also submitted was a detailed grid analysis of the appellants' comparables and provided four additional comparables along with copies of the property record cards and a map showing all the comparables used by the parties. The comparables have varying degrees of similarity when compared to the subject. Gaddis was present at the hearing to provide testimony in connection with the evidence prepared.

The board of review requested that the subject's assessment be confirmed.

Conclusion of Law

The taxpayer contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment

comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the record contains sixteen equity comparables submitted by the parties in support of their respective positions. The Board gave less weight to the appellant's comparables #3, #5, #6, #7 and #12. These comparables are considerably smaller in dwelling size than the subject property. The Board finds the best evidence of assessment equity to be appellant's comparables #1, #2, #4, #8, #9, #10, #11 and the board of review comparables. The Board finds these comparables are more similar to the subject in location, age, design, size, and features. These comparables had improvement assessments that ranged from \$194,490 to \$260,660 or from \$53 to \$69 per square foot of living area, rounded. The subject's improvement assessment of \$256,450 or \$64.73 per square foot of living area falls within the range established by the best comparables in this record. Based on this record the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment 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.

Ronald R. Cuit

Chairman

K. L. Fern

Member

Tracy 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: August 22, 2014

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.