



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

APPELLANT: Kaushik Patel
DOCKET NO.: 11-02753.001-R-1
PARCEL NO.: 02-12-105-029

The parties of record before the Property Tax Appeal Board are Kaushik Patel, 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: \$24,730
IMPR.: \$68,090
TOTAL: \$92,820

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 two-story dwelling of frame and masonry construction with approximately 1,889 square feet of living area. The dwelling was constructed in 2001. Features of the home include a full unfinished basement, central air conditioning and an attached two-car garage. The property has a

9,103 square foot site and is located in Itsaca, Bloomingdale Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$280,000 as of July 14, 2011. The appraisal was prepared for a refinance transaction based on the fee simple rights of the subject property. The appraiser utilized both the cost and sales comparison approaches to value. In the cost approach, the appraiser estimated a value for the subject of \$283,700.

In the sales comparison approach, the appraiser analyzed four sales and two listings that were located from .83 to 2.35-miles from the subject property. These comparables had sales or asking prices ranging from \$257,000 to 374,900 or from \$112.29 to \$181.38 per square foot of living area, including land. The comparables consist of a split-level, 2 one-story and 3 two-story dwellings of frame or frame and masonry construction that range in age from 4 to 63 years old. The appraiser made adjustments to these comparables for differences from the subject in lot size, age, room count, dwelling size, basement finish, fireplace amenity, garage size and for date of sale for the two listings. From this adjustment process the appraiser estimated adjusted sales prices ranging from \$272,800 to \$340,000.

Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$109,900. The subject's assessment reflects a market value of \$331,523 or \$175.50 per square foot of living area, land included, when using the 2011 three year average median level of assessment for DuPage County of 33.15% as determined by the Illinois Department of Revenue.

The board of review noted that the appellant's appraisal was prepared for a refinance transaction and had an effective date that is six and a half months after the assessment date of January 1, 2011. In a memorandum, the Bloomingdale Township Assessor noted that some of the appraisal comparables were located outside of the township and thus, the assessor's office had no information on the properties. Additionally, the township assessor noted that several of the comparables were

ranches and split-level dwellings that differ from the subject's design.

In support of its contention of the correct assessment the board of review through the Bloomingdale Township Assessor submitted a spreadsheet with information on four comparables, three of which included sales that occurred between July 2009 and August 2010. No lot sizes were provided for the comparables. The three sale comparables consist of two-story frame or frame and masonry dwellings that were built between 1985 and 1997. These homes range in size from 2,175 to 2,734 square feet of living area and feature full or partial basements that have finished area. Each comparable has central air conditioning, a fireplace and a two-car or a three-car garage. These three properties sold between July 2009 and August 2010 for prices ranging from \$388,000 to \$501,000 or from \$164.13 to \$193.10 per square foot of living area, including land.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

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. 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 Board finds the best evidence of market value to be the appraisal submitted by the appellant with an opinion of value of \$280,000 as of July 14, 2011. The Board finds that the sales presented by the board of review were all larger than the subject dwelling and, but for sale #2, the sales were too distant in time to the assessment date at issue to be indicative of the subject's market value. As to board of review comparable #2, this dwelling was substantially larger than the subject and featured a fireplace, basement finish and a third car garage that were not features of the subject dwelling.

The subject's assessment reflects a market value of \$331,523 or \$175.50 per square foot of living area, including land, which is above the appraised value. The Board finds the subject property

had a market value of \$280,000 as of the assessment date at issue. Since market value has been established the 2011 three year average median level of assessments for DuPage County of 33.15% as determined by the Illinois Department of Revenue shall apply. (86 Ill.Admin.Code §1910.50(c)(1)).

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.