



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

APPELLANT: Ralph Schindler
DOCKET NO.: 11-03145.001-R-1
PARCEL NO.: 09-01-307-014

The parties of record before the Property Tax Appeal Board are Ralph Schindler, the appellant, by attorney Ralph J. Schindler, Jr., of the Law Offices of Ralph J. Schindler in Chicago, 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: \$147,070
IMPR: \$109,840
TOTAL: \$256,910**

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 masonry construction with 2,795 square feet of living area. The dwelling was constructed in 1977. Features of the home include a full walkout-style basement with finished area, central air conditioning, two

fireplaces and a two-car garage. The property has a 14,358 square foot site and is located in Hinsdale, Downers Grove 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 \$775,000 as of January 1, 2011 along with a grid analysis of the same three sales contained within the appraisal report. The appraiser stated that this report was based on an exterior-only inspection, but the subject was previously inspected by the appraiser in October 2010. At that time, the appraiser noted the home lacked updating and modernization and the basement had some water with concrete floors and an older bath. For this appraisal, the appraiser has assumed the same conditions less normal wear and tear. Based on this evidence, the appellant requested an assessment reduction reflective of the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$303,430. The subject's assessment reflects a market value of \$915,324 or \$327.49 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.

In a memorandum, the board of review asserted that the land size adjustments in the appellant's appraisal at \$9.94/square foot "appeared to be on the low end for the Hinsdale area." In support of this contention, the board of review through the township assessor provided one sale of vacant land of 13,200 square feet which sold for \$46.21 per square foot in April 2010. Each comparable in the appraisal has a smaller lot than the subject with "minimal lot size adjustments."

In support of its contention of the correct assessment the board of review submitted information on three comparable improved sales. Based on this evidence and argument, the board of review requested confirmation of the subject's assessment.

The appellant submitted rebuttal contending that the land size adjustment criticism is not well-supported by presenting one vacant land sale for \$46.21 per square foot. (See Exhibit A, a letter from appellant's appraiser articulating why a lot size adjustment value should be based on a percentage of the vacant lot value). Exhibit B is a copy of the listing of the home that

was constructed on the vacant parcel which the board of review presented reflecting an April 2013 sale price of \$2.4 million.

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 estimated market value of \$775,000 as of January 1, 2011. This value conclusion is further supported by board of review comparable sale #1 which sold in February 2011 for \$288 per square foot of living area, including land, rounded. The subject's assessment reflects a market value of \$915,324 or \$327.49 per square foot of living area, including land, which is above the appraised value and also above the best comparable sale in the record presented by the board of review. Little weight was given by the Board to board of review comparables #2 and #3 due to differences in age and/or dwelling size when compared to the subject property.

The Board finds the subject property had a market value of \$775,000 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.



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: August 22, 2014



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.