



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

APPELLANT: Alden Snyder
DOCKET NO.: 11-03483.001-R-1
PARCEL NO.: 08-21-204-013

The parties of record before the Property Tax Appeal Board are Alden Snyder, the appellant, by attorney Laura Godek of Laura Moore Godek, PC in McHenry; 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: \$92,640
IMPR.: \$58,190
TOTAL: \$150,830

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 construction with 3,101 square feet of living area. The dwelling was constructed in 1979. Features of the home include

a full basement, which is 90% finished, central air conditioning, a fireplace and a 3-car attached garage. The property has a 46,032 square foot site and is located in Lisle, Lisle Township, DuPage County.

The appellant contends overvaluation and assessment inequity as the bases of the appeal. The appellant did not contest the subject's land assessment. In support of these arguments the appellant submitted three appraisals and information on 13 comparable properties.

Based on this information, the appellant requested the subject's assessment be reduced to \$150,658.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$204,030. The subject's assessment reflects a market value of \$615,475, 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 subject property has an improvement assessment of \$111,390 or \$35.92 per square foot of living area using 3,101 square feet of living area.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales, three equity comparables and five properties that were torn down.

The board of review did not refute or address the appraisals submitted by the appellant.

Since the appellant did not contest the subject's land assessment, the Board will not analyze the board of review's comparable sales that were subsequently torn down as these sales would indicate a land value only, including demolition costs. Furthermore, since these properties had their improvement's removed, the inference would be that the underlying land value exceeds that of the improvements.

Under rebuttal, the appellant submitted a letter criticizing the board of review's comparables and submitted Multiple Listing Service (MLS) sheets as evidence of the superiority of their comparables.

Conclusion of Law

The appellant, in part, 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 appellant's appraisal of November 5, 2010 for \$455,000. The appraisal's estimate of the subject's market value was approximately two months prior to the assessment date at issue. The Board gave less weight to the appellant's other two appraisals, as these appraisal's effective dates were more remote in time to the assessment date at issue. The Board also gave less weight to the parties' comparable sales data, as these sales were not adjusted for differences when compared to the subject. The subject's assessment reflects a market value of \$615,475, which is above the best appraised value in the record. The Board finds the subject property had a market value of \$455,000 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)).

As to the appellant's improvement inequity argument, the Board finds that after a reduction in the subject's assessment due to overvaluation no further reduction in the subject's assessment 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.

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: April 24, 2015



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.