



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

APPELLANT: Shahnaz Parveen
DOCKET NO.: 11-03573.001-R-1
PARCEL NO.: 09-36-200-029

The parties of record before the Property Tax Appeal Board are Shahnaz Parveen, 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: \$121,660
IMPR: \$0
TOTAL: \$121,660

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 vacant parcel of approximately 30,212 square feet of land area. The property is located in Burr Ridge, 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 parcel had a market value of \$367,000 as of December 12, 2011. The appraiser analyzed three sales that were located from .50 to 1.23-miles from the subject property. The parcels range in size from 24,089 to 37,438 square feet of land area and sold between February and September 2011 for prices ranging from \$360,000 to \$455,000 or from \$12 to \$16 per square foot of land area, rounded. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$147,020. The subject's assessment reflects a market value of \$443,499 or \$14.68 per square foot land area, 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 submitted a grid analysis of the appraisal sales, a grid analysis of the board of review's comparable sales and a map depicting the location of both parties' comparables along with copies of applicable property record cards. The appellant's appraisal sale #3 was noted to be in Cook County. Also, as part of the grid it states in pertinent part:

The subject was purchased 11/2006 for \$530,000. . . .
The appraisal [from the appellant] indicates the subject property was listed 4/22/2011 for \$549,000 for 60 days. The 2011 assessment reflects a market value of \$441,104 which is well below the April 2011 listing.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales and one equity comparable. The map fails to disclose the actual distance of the comparables from the subject. The comparable sale parcels range in size from 16,000 to 24,137 square feet of land area and sold between October 2010 and June 2011 for prices ranging from \$235,000 to \$500,000 or from \$14.68 to \$20.71 per square foot of land area. The board of review's submission outlined that the sales range from \$13.95 to \$20.71 per square foot of land area with a median sale price of \$16.11 per square foot. Based upon this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant reiterated that the appraisal of the subject property prepared by a licensed appraiser should be accepted as the best evidence of market value. The appellant also outlined listings and eventual sales of parcels that occurred in 2012 and 2013.

Pursuant to the rules of the Property Tax Appeal Board, rebuttal evidence is restricted to that evidence to explain, repel, counteract or disprove facts given in evidence by an adverse party. (86 Ill.Admin.Code §1910.66(a)). Moreover, rebuttal evidence shall not consist of new evidence such as an appraisal or newly discovered comparable properties. (86 Ill.Admin.Code §1910.66(c)). In light of these rules, the Property Tax Appeal Board has not considered the additional comparable sales data submitted by appellant in conjunction with her rebuttal submission.

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 \$367,000 or \$12.15 per square foot of land area as of December 12, 2011. The appraisal contains three sales of comparable parcels which are relatively similar to the subject in size and somewhat similar in location. The Property Tax Appeal Board gave less weight to the board of review comparable sales which were all substantially smaller than the subject parcel and lacked adjustments for differences in location and/or size from the subject property.

The subject's assessment reflects a market value of \$443,499 or \$14.68 per square foot of land area, which is above the appraised value. Thus, the Board finds the subject property had a market value of \$367,000 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%

Docket No: 11-03573.001-R-1

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: October 24, 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.