



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

APPELLANT: Leo Rasp
DOCKET NO.: 11-03602.001-R-1
PARCEL NO.: 09-32-402-002

The parties of record before the Property Tax Appeal Board are Leo Rasp, 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: \$43,690
IMPR.: \$34,980
TOTAL: \$78,670

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 raised ranch style single family dwelling of brick and frame exterior construction with 1,718 square feet of living area. The dwelling was constructed in 1973. Features of the home include a partial finished basement, central air conditioning, one fireplace and a two-car attached garage. The property has a 22,700 square foot site and is located at 775 86th St., Downers Grove, 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 \$236,000 as of December 16, 2011. The appraiser developed the cost approach estimating the subject property had a market value of \$245,312.

Under the sales comparison approach the appraiser used three comparable sales that sold from March 2011 to May 2011 for prices ranging from \$211,000 to \$259,500. The appraiser estimated the subject property had an estimated value under the sales comparison approach of \$236,000. In reconciling the two approaches to value the appraiser gave most weight to the sales comparison approach. The appellant requested the subject's assessment be reduced to \$87,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$94,210. The subject's assessment reflects a market value of \$284,193 or \$165.42 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.

Attached to the "Board of Review Notes on Appeal" was evidence prepared for Docket No. 11-02609.001-R-1, parcel number 09-26-105-002, which was a property located at 7105 Eleanor Pl, Darien. The board of review submitted no evidence with respect to the subject property.

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 in this record with respect to the subject property to be the appraisal submitted by the appellant estimating the property had a market value of \$236,000. The subject's assessment reflects a market value of \$284,193, which is above the appraised value. The Board finds the record contains no evidence from the board of review supporting the assessment of the subject property and/or to refute the appraised value presented by the appellant. Based on this evidence the Board finds a 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.

Donald R. Cuit

Chairman

K. L. Fern

Member

Frank 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: June 20, 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.