



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

APPELLANT: Gladys Kannankeril
DOCKET NO.: 11-03679.001-R-2
PARCEL NO.: 07-33-307-020

The parties of record before the Property Tax Appeal Board are Gladys Kannankeril, the appellant, by attorney William I. Sandrick of the Sandrick Law Firm LLC, in South Holland, 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: \$81,360
IMPR.: \$316,440
TOTAL: \$397,800

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 Dryvit exterior construction with 7,707 square feet of living area. The dwelling was constructed in 1992. Features of the home

include a full basement with finished area, central air conditioning, two fireplaces and an attached three-car garage. The property has a 16,960 square foot site with a golf course view and is located in Naperville, Naperville 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 \$950,000 as of January 1, 2011 after analyzing both the sales and cost approaches to value.

In the sales comparison approach, the appraiser considered three properties located within .53 of a mile of the subject property with residential/golf views. These comparables consist of two-story dwelling of brick, Dryvit or stucco/stone exterior construction that was 13 or 15 years old. The homes range in size from 4,495 to 4,938 square feet of living area. Each home has a full basement, two of which have finished area. Features include central air conditioning, one or two fireplaces and a three-car garage. The homes sold between February and September 2010 for prices ranging from \$640,000 to \$755,000 or from \$142.38 to \$160.00 per square foot of living area, including land. The appraiser made adjustments for date of sale/time, condition, gross living area, room count, unfinished basement, number of fireplaces and/or amenities/upgrades. Based on this analysis, the appraiser arrived at adjusted sales prices ranging from \$902,420 to \$966,140 or from \$195.65 to \$208.61 per square foot of living area, including land. The appraiser opined an estimated market value of \$950,000 or \$123.26 per square foot of living area, including land, under the sales comparison approach.

Under the cost approach the appraiser estimated the subject had a site value of \$175,000, but had no supporting market data. The appraiser estimated the replacement cost new of the improvements to be \$1,197,005 based upon local contractors and the Marshall & Swift cost services, along with the appraiser's experience. The appraiser estimated physical depreciation to be \$289,597 based on the age/life method. External obsolescence was estimated to be \$181,482 due to the poor economic conditions and the number of competing properties currently listed for sale. These deductions resulted in a depreciated improvement value of \$725,926. The appraiser also estimated the site improvements had a value of \$60,000. Adding the various components, the appraiser estimated the subject property had an

estimated market value of \$960,900 or \$124.68 per square foot of living area, including land, under the cost approach to value.

Based on this evidence, the appellant requested an assessment 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 \$448,910. The subject's assessment reflects a market value of \$1,354,178 or \$175.71 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 submitted a memorandum prepared by the township assessor contending that the subject property is located in the White Eagle Subdivision which is located in both DuPage and Will Counties. The subject is in the northern portion in DuPage County and each of the comparables in the appellant's appraisal report was located in the southern portion in Will County. The township assessor provided no additional data to establish whether location in the northern or southern portions of the subdivision results in differing marketing areas.

The assessor also included printouts of the appraisal comparables from the Wheatland Township Assessor's Office which revealed that appraisal sale #1 reportedly sold in October 2009 for \$640,000 and appraisal sale #3 also re-sold in March 2012 for \$705,000 or \$50,000 less than its February 2010 sale price.

The assessing official contends the subject backs to the golf course and has a front view, across Winberie Avenue, of the golf course and a large pond. To support this contention regarding the view across the street, the assessor included a parcel map which depicts no residential parcels being located across the street.¹ The subject's street is considered a "premium location in the subdivision due to the views" according to the township assessor.

As to the appraisal report, the township assessor contends there are "very large square footage adjustments (over \$150,000) made to all the sales." The assessor contends the subject is the largest home in the Naperville Township portion of the development. "Large condition and modernization adjustments

¹ The appellant's appraisal includes a "street scene" photograph that depicts dwellings on both sides of the street.

were made to sale 1 [in the appraisal] without explanation" according to the assessor. Furthermore, the assessor noted that the appraiser made large dwelling size adjustments in the appraisal to each of the sales; however, it was also noted that the subject "is the largest home in the Naperville Township portion of the development."

In support of its contention of the correct assessment the board of review through the township assessor submitted a grid with information on three comparable sales, two of which are located on the subject's street. Each of these comparables are "golf course sites" although comparable #1 only has a view of the golf course. The comparables consist of two-story frame or brick and frame dwellings that were 16 to 20 years old and range in size from 3,667 to 5,118 square feet of living area. Each home has a basement, one of which has finished area. Features include central air conditioning, a fireplace and a three-car or a four-car garage. The properties sold between April 2008 and April 2011 for prices ranging from \$599,900 to \$875,000 or from \$158.83 to \$170.96 per square foot of living area, including land.

Based on this evidence and argument, 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 appellant submitted an appraisal of the subject property to establish that the property was overvalued and the board of review submitted three comparable sales to support the subject's estimated market value as reflected by its assessment. The Board finds that the appraisal fails to reflect a credible and/or well supported estimate of market value of the subject property. The appraiser made substantial adjustments for time/date of sale without presenting a detailed market conditions analysis to support the adjustments. In addition, the appraiser made both a large condition adjustment and a large

amenities/upgrade adjustment to comparable sale #1 without explaining the basis for either adjustment. Finally, the Board finds that the appraiser's three adjusted comparable sales ranged from \$195.65 to \$208.61 per square foot of living area, including land, but yet the final value conclusion for the subject in the sales comparison approach based upon this data was \$123.26 per square foot of living area, including land, which is substantially below the range of adjusted sales prices without an explanation for the inconsistent conclusion.

The Property Tax Appeal Board has given no weight to board of review sales comparables #2 and #3 due to differences in dwelling size and date of sale, respectively. Board of review comparable #2 is substantially smaller than the subject home. Board of review comparable #3 sold in April 2008, a date most distant from the valuation date at issue of January 1, 2011 and thus less likely to be indicative of the subject's market value at issue.

The Board finds the best evidence of market value to be appraisal sales #1 and #3 along with board of review sale #1. These are the largest dwellings which also have sales that occurred most proximate to the valuation date at issue of January 1, 2011. As set forth in the appraisal, sale #1 sold in September 2010 for \$208.61 per square foot of living area, including land. The record also reveals that appraisal sale #3 sold both in February 2010 for \$755,000 or \$195.65 per square foot of living area, including land and in March 2012 for \$705,000 or \$156.84 per square foot of living area, including land. In addition, board of review comparable #1 sold in April 2011 for \$875,000 or \$170.96 per square foot of living area, including land.

In contrast to these most recent and most similar comparable sales, the subject's assessment reflects a market value of \$1,354,178 or \$175.71 per square foot of living area, including land, which is above the range established by the best comparable sales in the record both in terms of overall value and on a per-square-foot basis; the subject's estimated market value based on its assessment does not appear justified given accepted real estate valuation theory where all factors are equal, as the size of the property increases, the per unit value decreases; in contrast, as the size of a property decreases, the per unit value increases. The subject is substantially larger than each of these comparable sales as discussed above. The Board finds on this record that the subject property is

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overvalued and 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.



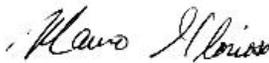
Chairman



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: November 21, 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.