



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

APPELLANT: Oscar Fiorenzo
DOCKET NO.: 11-03847.001-R-1
PARCEL NO.: 03-28-415-019

The parties of record before the Property Tax Appeal Board are Oscar Fiorenzo, the appellant, by attorney Gregory M. Mini of Schoenberg Finkel Newman & Rosenberg, LLC 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: \$26,250
IMPR.: \$5,243
TOTAL: \$31,493**

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 one-story ranch dwelling of frame construction with approximately 1,000 square feet of living area. The dwelling was constructed in 1948. Features of the home include an unfinished basement and central air conditioning. The property has approximately 7,000 square feet

of land area and is located in Addison, Addison Township, DuPage County.

The appellant, through counsel, 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 \$95,000 as of January 1, 2011.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$53,210. The subject's assessment reflects a market value of \$160,513, 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 support of its contention of the correct assessment the board of review submitted information on three comparable sales.

The board of review's representative, Carl Peterson, argued that the appellant's appraiser made several mistakes in his report. The mistakes included the appraiser's use of an incorrect appraisal format, missing information on the sketch for the subject and incorrect basement nomenclature in the appraisal grid. Peterson also argued that upgrades were done to the subject dwelling after the appellant purchased the home in 2010.

The board of review's witness, Addison Township Deputy Assessor Dawn Aderholt, testified that the appellant's appraiser's comparable #2 is a dissimilar one and one-half story dwelling unlike the subject.

Under rebuttal, the appellant's counsel argued the board of review's comparables #1 and #2 were 2009 sales, which are dated for a 2011 appeal. In addition, the board of review's comparable #3 was totally remodeled prior to its sale and counsel submitted a Multiple Listing Service (MLS) sheet in support.

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. The Board gave less weight to the board of review's comparables. The Board finds the board of review's comparables #1 and #2 sold greater than 12 months prior to the subject's January 1, 2011 assessment date. The Board also finds that the board of review's comparable #3 was totally remodeled prior to its sale, making this comparables superior to the subject. Therefore, the Board finds the subject property had a market value of \$95,000 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: January 23, 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.