



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

APPELLANT: Bruce & Carol Wallace
DOCKET NO.: 11-05774.001-R-1
PARCEL NO.: 08-16-407-020

The parties of record before the Property Tax Appeal Board are Bruce & Carol Wallace, the appellants, 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: \$50,450
IMPR: \$98,670
TOTAL: \$149,120**

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants timely filed this 2011 appeal from a 2010 assessment decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185). 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 3,332 square feet of living area. The dwelling was constructed in 1984. Features of the home include a partial basement, central air conditioning, two fireplaces and an attached 466 square foot garage. The property is located in Lisle, Lisle Township, DuPage County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on four comparable sales. Based on this evidence, the appellants requested a total assessment of \$149,980 which would reflect a market value of approximately \$449,940 or \$135.04 per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$160,580. The subject's assessment reflects a market value of \$484,404 or \$145.38 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.

In support of its contention of the correct assessment the board of review submitted information on five comparable sales where comparables #3 and #4 were the same properties presented by the appellants as comparables #1 and #3, respectively. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellants reiterated that a reduction was issued by the Property Tax Appeal Board in a 2010 appeal resulting in a total assessment of \$149,980. Thus, the appellants request a like assessment for 2011. Furthermore, the appellants contend that the 2011 assessment of the subject is excessive in light of area sales data. The appellants also contend that board of review comparable #5 differs from the subject property sufficiently to be dissimilar for comparison purposes.

Conclusion of Law

The appellants contend 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 appellants met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted a total of seven comparable sales to support their respective positions before the Property Tax Appeal Board, where two of the comparables were common to both

parties. The Board has given reduced weight to appellants' comparable #4 and board of review comparable #5 as each of these sales occurred in 2008, which date is more remote in time to the assessment date at issue of January 1, 2011 and thus, less likely to be indicative of the subject's market value as of the date of valuation. The Board has also given reduced weight to board of review comparables #1 and #2 as each of these dwellings are substantially smaller than the subject dwelling.

The Board finds the best evidence of market value to be appellants' comparable sales #1, #2 and #3, two of which are also reflected as board of review comparable sales #3 and #4. These three most similar comparables were located in the same neighborhood code assigned by the assessor as the subject; the comparables were similar in age, exterior construction, dwelling size, foundation and amenities to the subject property. These three comparables sold between March and October 2009 for prices ranging from \$421,750 to \$450,000 or from \$135.27 to \$140.54 per square foot of living area, including land. The subject's assessment reflects a market value of \$484,404 or \$145.38 per square foot of living area, including land, which is above the range established by the best comparable sales in this record both in terms of overall value and on a per-square-foot basis. 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.



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: February 20, 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.