



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

APPELLANT: Thomas & Mary Broderick
DOCKET NO.: 12-02588.001-R-1
PARCEL NO.: 09-33-404-004

The parties of record before the Property Tax Appeal Board are Thomas & Mary Broderick, 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: \$76,350
IMPR: \$61,400
TOTAL: \$137,750**

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 2012 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 and part one-story dwelling of frame and brick exterior construction with approximately 2,702 square feet of living area. The dwelling was constructed in 1987. Features of the home include a full

unfinished basement, central air conditioning, a fireplace and a two-car garage. The property has approximately 19,363 square feet of land area and is located in Darien, Downers Grove Township, DuPage County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted an appraisal estimating the subject property had a market value of \$350,000 as of September 10, 2012.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$180,120. The subject's assessment reflects a market value of \$540,576 or \$200.07 per square foot of living area, land included, when using the 2012 three year average median level of assessment for DuPage County of 33.32% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted a grid with adjustments on four comparable sales, as well as the appellants' appraisal comparables.

As to the appellants' evidence, the board of review argued the appellants' appraisal was for a mortgage finance transaction and its opinion of value as of September 10, 2012 is 9 months after the January 1, 2012 assessment date. In addition, the board of review supplied a two page letter critiquing both parties comparables.

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 a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the appellants' appraisal comparable #3 and the board of review's comparables #1. These comparables were most similar to the subject in lot size, style, age, size, features and also sold more proximate in time to the assessment date at issue. In addition, the Board finds the appellants' appraisal's two

listings were very similar to the subject and also had lot sizes similar to that of the subject. The Board gave less weight to the parties' remaining comparables due to their significantly smaller lot sizes or larger dwelling size, when compared to the subject. In addition, the board of review's comparable #3 sold in March 2010 and would lack probative value of the subject's real estate market as of the assessment date at issue. The best comparables sold for prices of \$153.13 and \$201.83 per square foot of living area, including land. The appellants' appraisal's two listings had asking prices of \$165.39 and \$169.40 per square foot of living area. The subject's assessment reflects a market value of \$200.07 per square foot of living area, including land, which is within the market values established by the best comparable sales in the record. However, after adjusting the comparables for differences when compared to the subject, such as the subject's unfinished basement, the Board finds a reduction in the subject's assessment is justified. The Board also finds the appellants' appraisal's listings lend further support for a reduction in the subject's assessment.

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: April 24, 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.