



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

APPELLANT: Gregory Frer
DOCKET NO.: 12-04182.001-R-1
PARCEL NO.: 09-19-401-030

The parties of record before the Property Tax Appeal Board are Gregory Frer, 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: \$36,690
IMPR.: \$75,450
TOTAL: \$112,140

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 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 is improved with a part two-story and part one-story single family dwelling of brick and frame construction with 2,404 square feet of living area. The dwelling was constructed in 1978. Features of the home include a crawl space foundation, central air conditioning, one fireplace and a two-car attached garage with 483 square feet of building area. The property has a 10,375 square foot site that backs to a retention

pond and is located in 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 \$295,000 as of March 9, 2012. The appraisal was prepared by William Hiltenbrand, Certified Residential Real Estate Appraiser. The appraiser identified the client as Wells Fargo Bank, N.A., and the assignment type was for a refinance transaction. In estimating the market value of the subject property the appraiser developed the sales comparison approach using three comparable sales and two listings. The comparables were described as two-story dwellings that ranged in size from 1,664 to 2,638 square feet of living area. The homes ranged in age from 15 to 41 years old. Each comparable had central air conditioning and a two-car garage. Three comparables each had one fireplace and one comparable had a basement. Comparables #1 through #3 sold from March 2011 to March 2012 for prices ranging from \$255,000 to \$297,500 or from \$96.66 to \$140.60 per square foot of living area, including land. Comparables #4 and #5 were listings that had prices of \$299,900 and \$315,000 or \$180.23 and \$148.87 per square foot of living area, including land. The appraiser made adjustments to the comparables for differences from the subject in location, features and listing status to arrive at adjusted prices ranging from \$249,500 to \$306,000. Based on these sales the appraiser arrived at an estimated market value of \$295,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$118,490. The subject's assessment reflects a market value of \$355,612 or \$147.93 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 information on four comparable sales that were identified by the Downers Grove Township Assessor's office. The comparables were improved with part two-story and part one-story single family dwellings that ranged in size from 1,863 to 2,316 square feet of living area. The dwellings were constructed from 1986 to 1988. Each comparable had a full or partial basement, central air conditioning, one fireplace and an attached garage with 441 square feet of building area. The sales occurred from April 2010 to November 2011 for prices

ranging from \$355,000 to \$378,000 or from \$147.24 to \$195.95 per square foot of living area, including land.

The board of review also submitted a grid analysis of the appellant's comparable sales indicating that each comparable was improved with a part two-story and part one-story dwelling. The board of review also indicated that appraisal comparable #5 sold in February 2012 for a price of \$302,000 or \$142.72 per square foot of living area, including land.

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 comparable sales #1, #2, #3 and #5 contained in the appellant's appraisal. Each of these comparables was improved with a similar styled dwelling with similar features as the subject property. These sales occurred from March 2011 to March 2012 for prices ranging from \$255,500 to \$302,000 or from \$96.66 to \$142.72 per square foot of living area, including land. The subject's assessment reflects a market value of \$355,612 or \$147.93 per square foot of living area, including land, which is above the range established by the best comparable sales in the record. The Board gave less weight to the conclusion of value within the appellant's appraisal of \$295,000 or \$122.71 per square foot of living area, including land, which is below the range of the best comparables on a square foot basis and appears to understate the fair cash value of the subject property. The Board gave less weight to the comparable sales provided by the board of review as each was superior to the subject with a full or partial basement compared to the subject's crawl space foundation. Furthermore, board of review sales #2 and #3 were significantly smaller than the subject property and comparables #3 and #4 sold in April 2010, not as proximate in time to the assessment date at issue as were the best sales found herein. 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

K. L. Ferr

Member

JR

Member

Mark Albino

Member

Jerry White

Acting 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: August 21, 2015

A. Portol

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.