

THE CITIZEN ADVOCACY CENTER'S

Guide to Property Assessments and Appeals for Residential Properties in DuPage County

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The purpose of this guide is to explain the property assessment appeal process. All property owners pay taxes based on a property value or assessment by a township assessor. Property owners have a legal right to appeal their property assessment through a formal process. Property owners are often intimidated by the assessment appeal process and are at a disadvantage due to the rules of procedure, but every property owner can file an appeal if they believe and have evidence to support that their property assessment is too high.

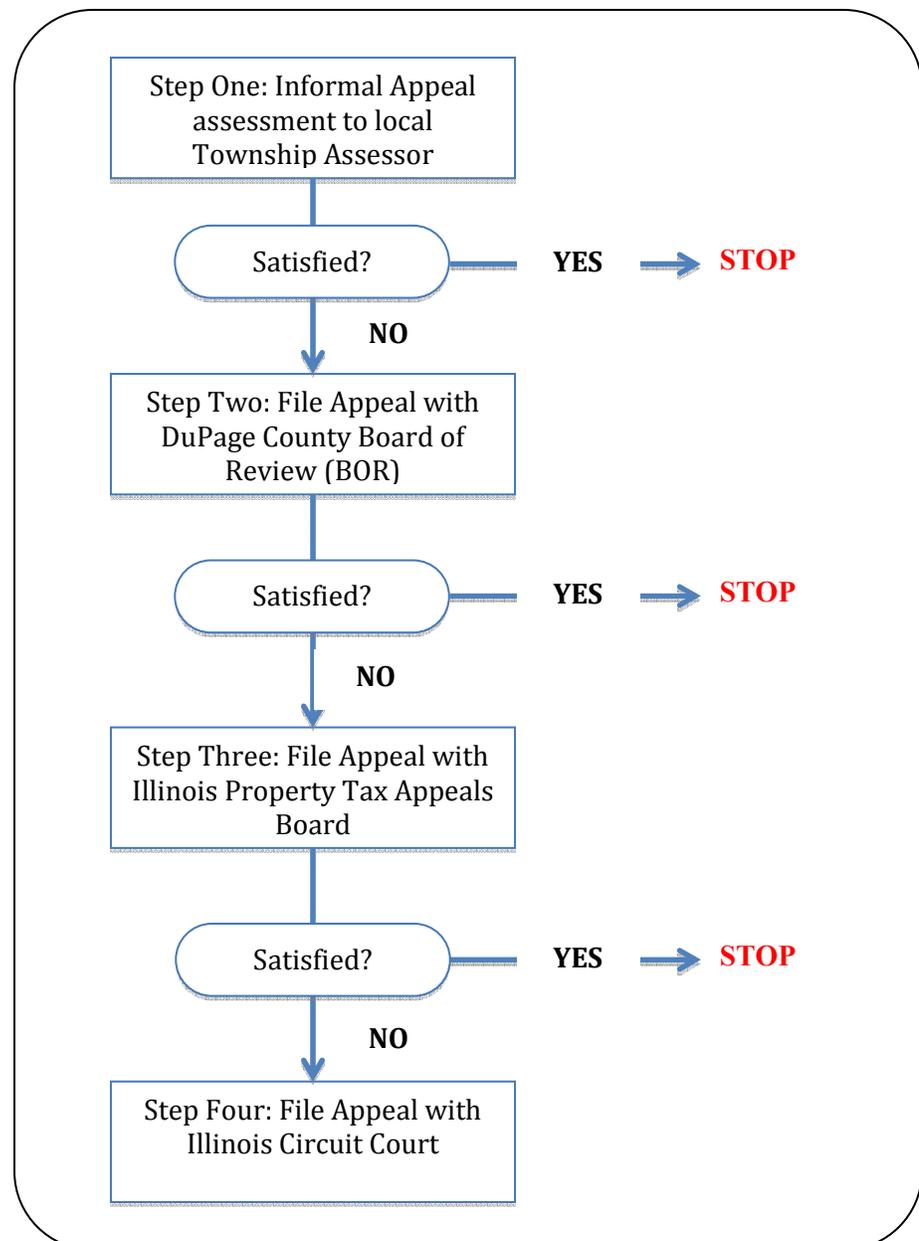
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Residential property owners pay property taxes, used to fund school districts, park districts, townships, community colleges, the county and many other taxing bodies. Each year, taxing bodies go through a budgeting process where they determine how much they need to meet overall operational costs. This figure is called the **levy** and is the primary number in determining the tax rate for a particular taxing body.

Once the tax rate is determined by the individual taxing body, the DuPage County Treasurer applies that tax rate to the individual property **assessments** forwarded to them from the township offices. The DuPage County Treasurer then uses a set of formulas established by state law to determine the dollar amount of taxes every property owner pays to the various taxing bodies.

Step One: Informal Appeal of Property Assessment to Local Township Assessor

The Township Assessor Assesses Property Value:

Property taxes are based on an estimate of the value of a property, known as an assessment. Under a 1975 law, property in Illinois is assessed at one-third (1/3) of its market value. It is the Township Assessor who determines what each property owner's assessed valuation is. In DuPage County, Illinois there are 9 townships, each with its own elected Township Assessor.

Every property in DuPage County is located within a township. To find the

current Township Assessor for a particular township, see the following:

WAYNE TOWNSHIP ASSESSOR
www.waynetownshipassessor.com

ADDISON TOWNSHIP ASSESSOR
www.addisontownship.com

MILTON TOWNSHIP ASSESSOR
www.miltontownshipassessor.com

NAPERVILLE TOWNSHIP ASSESSOR
www.napervilletownship.com

DOWNERS GROVE TOWNSHIP ASSESSOR
www.dgtownship.com

BLOOMINGDALE TOWNSHIP ASSESSOR
www.bloomingtondaletownshipassessor.com

WINFIELD TOWNSHIP ASSESSOR
www.winfieldtownship.com

YORK TOWNSHIP ASSESSOR
www.yorkassessor.com

LISLE TOWNSHIP ASSESSOR
www.lisletownshipassessor.com

The Township Assessor's basis for an individual property assessment is the **Fair Market Value**, or probable selling price of a property. How individual Township Assessors determine Fair Market Value differs township by township. There is no state law specifically outlining the criteria that must be used by individual township assessors to determine the Fair Market Value for individual parcels of property.

Illinois state law requires that the Township Assessors revalue all properties in a township at least once every four years, also known as a quadrennial year.

Properties are revalued to ensure that they are representative of property market changes. At the quadrennial reassessment, the Township Assessor is required to mail an **assessment change notice** to every property owner, informing the property owner of the what the new assessed value is for that property.

The Township Assessor can also reevaluate residential property in the years between quadrennial assessments. This serves two purposes:

- Make minor changes where necessary, and
- Assess all newly constructed property during that year.

Township Assessor Publishes Assessments and the Clock Begins to Tick!

Annually, around September, the Township Assessor mails changed assessment notices to individual property owners and publishes those changes in the local newspapers. The publication date in the paper is the official Township Notice that property assessments have been finalized.

Once a year starting around September property owners may appeal their property assessments to their township assessor and/ or file a formal appeal with the DuPage Board of Review.

Once notice has been provided in the papers, a clock starts to run and property owners have 30 days to appeal their property assessment to their local Township Assessor's office or submit a formal complaint via the appeal process to

the Board of Review (Board). To learn the specific closing date for when an appeal can be filed, visit your local township website or the DuPage County website <http://www.dupageco.org/>.

Within the 30-day appeal period, the first place to start the process should be a visit to the appropriate Township Assessor. A property owner should start with the Township Assessor to:

- Learn the criteria that the Township Assessor used in determining the assessment;
- Ask for the comparables the Township Assessor used in determining the assessment (most likely the Township Assessor will not provide this information but it is a good idea to ask);
- Review the Property Card (see below);
- Identify possible similar, comparable properties;
- Request a change in the assessment based on the above information collected; and
- Gather information in case there is a need to file a formal appeal with the Board.

Since many property owners file an appeal with the Board, it is in the property owner's best interests to visit their Township Assessor's office early in the 30-day appeal period. This allows a property owner time to gather information and evidence required for an appeal to the DuPage County Board of Review should the Township Assessor refuse to change the assessment.

Review the Property Report Card:

When considering a property tax appeal, it is necessary to review the property report

card and confirm that the information is correct. A property report card is a government document at the Township Assessor's office that contains detailed information about a parcel of property. Any member of the public can review property report cards for any property.

If an error is found, a property owner should speak to the Township Assessor to have it corrected. Sometimes correcting inaccurate information can result in the Township Assessor immediately revising the property assessment.

If the Township Assessor refuses to lower the assessment, and a property owner still believes their assessment to be too high, the next step is for the property owner can file an appeal to the DuPage Board of Review. In preparing to file an appeal, the property owner should collect the following information:

- Review other property report cards for **comparable properties** that can be used as evidence in the appeal. A comparable property is a property similar to the one in question. Look for properties with similar age, location, build quality, number of stories, living area size, and number of bedrooms and bathrooms.
- Recent sales of similar properties
- Foreclosures and or short sales of similar properties.

Step Two: File an Appeal with the DuPage Board of Review (Board)

If a property owner's assessment was not reduced at the Township Assessor's office, an appeal can be filed with the Board.

A DuPage County Residential Real Estate Assessment Appeal form must be filed at the Board of Review office or postmarked before the end of the 30-day appeal period. The form can be downloaded from the County's Supervisor of Assessment's website:

<http://www.dupageco.org/SOA/1475/>.

The form requires that the property owner identify between three and six comparable properties that have either:

- been sold in the past three years (appeal based on market value), or
- are similar to the property owner's property but have lower assessments (appeal based on **uniformity**)

Additionally, it is recommended that the property owner include relevant, extra information such as Multiple Listing Services (MLS) information from a realtor, an appraisal (an **ad valorem appraisal** dated the beginning of the year, not a refinancing appraisal), a sales contract if purchased within the last year, or a final contractor's affidavit of costs if new construction.

Finding adequate evidence and comparables in 30 days may be difficult. The websites for DuPage County and each Township Assessor include searchable property databases that list the assessments for properties in each neighborhood as well as recent sales in each area to help property owners find reasonable comparables.

Matching properties or finding appropriate comparables on these websites is not always possible, so property owners may want to consider consulting with real estate agents, appraisers, property tax consultants, and/or lawyers to have a better chance at a successful appeal.

Prepare for the Board of Review Meeting:

After the appeal has been filed, the property owner will receive a hearing notice in the mail with the date and time of the appeal, which will be heard by the Board.

The Board consists of three senior members who serve regularly on the board. These members are appointed by the DuPage County Board Chairman. Other members of the Board of Review hold part-time positions. These alternate members will preside over hearings in years where there are a large volume of appeals. All members must have real estate or appraisal experience and must pass an exam in order to preside over hearings.

Regular Board Members:

- Anthony Bonavolonta, Chairman
- Charles Van Slyke, Jr.
- Carl Peterson

When there is a large volume of appeals, an appeal hearing may be heard by a single Board member.

Before going into the Board meeting, the property owner should know the details of their comparables and be prepared to discuss them. One important term worth knowing is **Building Assessment Value (BAV)** or assessed value per square foot. This number is equal to the building assessment amount divided by the living area square footage. This number allows the fair comparison of houses with different living area sizes, and is used extensively by the assessor and Board members.

Like a court of law, the Township will have an opportunity to provide their comparables to the Board of Review to justify their assessment and the property owner will have an opportunity to present their comparables and argue why the assessment is not accurate. Unlike a court of law however, the Township is not required to disclose the comparables they intend to use at the Board hearing to justify the assessment.

The Board Hearing:

The hearing before the Board is a formal government proceeding. This means that

- an oath is taken at the start of the hearing;
- the property owner presents evidence supporting their claim;
- the Township Assessor presents evidence supporting the original assessment; and
- the Board judges all evidence presented.

Every residential appeal is assigned 15 minutes. Once the 15 minutes are up, no other information can be taken into consideration and extra time will not be provided.

IMPORTANT NOTE: Because townships are not required to disclose what comparables they are going to use at the hearing, the first time a property owner will most likely see the Township's "evidence" is during the 15 minute hearing.

At the hearing, property owners can represent themselves, have another person (non-lawyer) represent them, or have an attorney represent them. It is important for the property owner to remember that this

is a “property assessment” appeal and they should refrain from referring to “property taxes.”

If the property owner does not attend the hearing or fails to submit evidence for their appeal, the appeal may be dismissed.

Board Decision:

The Board will not provide a decision at the end of the hearing. Additionally, the Board process requires more than one member to rule on an appeal. In the event that there is only one Board member present to hear the appeal the reviewer is required to make a recommendation to another Board member in order to get it approved. If needed, a third Board member is brought in to break a tie and make the final decision. The decision-making process by the Board is not a public one, unlike in some other states.

The Board hears thousands of appeals, usually between December and March. Appeal results are mailed to the property owner once all appeals are heard and decided. This decision arrives before the tax bill is mailed at the end of April and includes a succinct statement that indicates whether the appeal was successful or not in reducing the assessment.

The notice will not inform the property owner in detail about the decision. The Board is required to publish all changes made to assessment appeals during the hearing period.

From Assessment to Tax Bill:

Once all assessments are finalized, they are sent to the County Treasurer who applies the tax levy to the assessment and

sends out property tax bills. The County Supervisor of Assessments keeps track of all of the statistical information collected from the assessment year.

IMPORTANT NOTE: A decrease in the assessed valuation of property does not necessarily result in a decrease in taxes! The assessment is just one variable in calculating a property tax bill. If a property owner’s assessment is lowered, and the tax rate is unchanged, the amount they will be taxed is lower. However, the tax rate is dependent upon the amounts asked for by taxing bodies like school districts and libraries. Therefore, if these taxing bodies ask for more money, the tax rate may go up, even if the value of a property, goes down.

Step Three: Appeal Decision to the PTAB

If the property owner disagrees with the Board decision, they can file an appeal to the Illinois Property Tax Appeal Board (PTAB). The appeal must be filed by the property owner or an attorney licensed in Illinois. Again, the property owner must file forms similar to those for the Board appeal:

http://www.state.il.us/agency/ptab/assist/D_PResWarnPDF.htm

These forms must be submitted within 30 days after the postmarked date of the Board decision notice.

Both parties submit evidence. Evidence for the PTAB appeal does not have to be the same as used for the Board of Review hearing.

If a property owner appeals to the Illinois PTAB, the appeal is assigned a docket number and a hearing date, approximately 20 days after the information was sent. The hearing is conducted by hearing officers and is not restricted by a time limit like the Board meeting.

The PTAB makes a decision after the hearing. When deciding whether to pursue an appeal, property owners need to be aware that the Illinois PTAB is often overwhelmed with appeals from tens of thousands of people all over the state. Therefore, it could take years for an appeal to be heard and decided upon.

Step Four: The Role of the Illinois Circuit Court: Appealing the PTAB Decision

If the property owner disagrees with the PTAB decision, they can choose to appeal to the Illinois Circuit Court. Few property owners choose this option because of time and cost constraints.

Glossary of Important Terms

The following is a list of terms and jargon important to know when discussing a property assessment appeal, especially when meeting with the Township Assessor and the Board of Review. These terms appear in bold in the document.

- **Ad Valorem Appraisal**- A property appraisal based on value.
- **Assessment Change Notice**- The updated property value mailed to the property owner.
- **Assessment**- The property value determined for tax purposes. Assessed value is a percentage of market value and subject to limits on annual increases.
- **Building Assessment Value (BAV)**- The assessed value per square foot of a structure (ex. \$34.92 per square foot).
- **Comparable Property**- Often referred to as a comparable, this is property that, given its property value, based upon location, square footage, age, etc., is comparable to the one being assessed for an appeal.
- **Fair Market Value, Market Value**- The probable selling price of a property. This is based on a calculated estimate of sales from the previous three years.
- **Levy**- The amount of money sought by a taxing district.
- **Property Record Card**- A record of the details of a property held at the Township Assessor's office used to calculate assessments.
- **Uniformity**- Similarity in assessments between similar properties.

The Citizen Advocacy Center, a nonpartisan, 501(c)(3), not-for-profit organization, is dedicated to building democracy for the 21st Century by strengthening the public's capacities, resources, and institutions for self government. If you are interested in more information, becoming a volunteer, or making a tax-deductible contribution to the Center, please feel free to contact us at:

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