



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

APPELLANT: Jonathan S. Goodman
DOCKET NO.: 09-21453.001-R-1
PARCEL NO.: 14-19-320-027-0000

The parties of record before the Property Tax Appeal Board are Jonathan S. Goodman, the appellant, by attorney Brian S. Maher of Weis, DuBrock, Doody & Maher in Chicago; and the Cook 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 Cook County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$12,499
IMPR.: \$72,501
TOTAL: \$85,000

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Cook County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2009 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 dwelling of frame construction with 2,171 square feet of living area. The dwelling is approximately 11 years old. Features of the home include a partial finished basement, central air conditioning, a fireplace and a two-car garage. The property has a 2,976 square foot site and is located in Chicago, Lake View Township, Cook County. The subject is classified as a class 2-78 property

under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on overvaluation. When the appellant's attorney completed Section 2c of the residential appeal form, counsel indicated that the appeal was being based on a recent sale of the subject property. However, the appellant's attorney did not complete Section IV - Recent Sale Data of the appeal form. In a letter dated June 11, 2010, counsel stated that the subject property sold on September 29, 2005, for a price of \$845,000. The appellant's attorney also submitted an appraisal report estimating the subject property had a market value of \$850,000 as of April 6, 2009. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the September 2005 purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$92,438. The subject's assessment reflects a market value of \$1,038,629 or \$478.41 per square foot of living area, land included, when using the 2009 three year average median level of assessments for class 2 property of 8.9% under the Cook County Real Property Assessment Classification Ordinance 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 comparables to demonstrate the subject was equitably assessed.

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 gives little weight to the September 2005 sale of the subject property for a price of \$845,000. This sale took place more than three years before the January 1, 2009 assessment date at issue. The Board finds the best evidence of market value to be the appraisal report submitted by the appellant. The

comparables sales utilized in the appraisal sold more proximate in time to the January 1, 2009 assessment date than the September 2005 sale of the subject property. The appraiser analyzed three comparable sales that sold from September 12, 2008 to January 5, 2009 for prices that ranged from \$857,500 to \$945,800 and two active listings of properties that had not yet sold. After making adjustments for differences from the subject property, the appraiser concluded that the subject property had a market value of \$850,000 as of April 6, 2009. The subject's assessment reflects a market value above the best evidence of market value in the record. The Board finds the equity analysis submitted by the board of review did not address the appellant's market value argument and is to be given little weight. Based on this record, the Board finds that a reduction in the subject's assessment is appropriate.

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.

Ronald R. Crit

Chairman

K. L. Fan

Member

Richard A. Huff

Member

Mark A. Lewis

Member

J. R.

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: March 20, 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.