



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

APPELLANT: Ron Cleveland
DOCKET NO.: 15-39832.001-R-1
PARCEL NO.: 09-35-418-012-0000

The parties of record before the Property Tax Appeal Board are Ron Cleveland, the appellant, by attorney Joanne Elliott, of Elliott & Associates, P.C. in Des Plaines; and the Cook County Board of Review.

Based on the facts and exhibits presented in this matter, 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: \$5,867
IMPR.: \$38,133
TOTAL: \$44,000

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) challenging the assessment for the 2015 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 mixed-use building of masonry construction with 4,874 square feet of building area. The building was constructed in 1959. The building features a partial basement that is unfinished and central air conditioning. The property has a 7,823 square foot site and is located in Park Ridge, Maine Township, Cook County. The subject is classified as a class 2-12 property under the Cook County Real Property Assessment Classification Ordinance.

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 \$360,000 as of January 1, 2013. The appellant's appraisal included an income approach and a sales comparison approach in estimating a market value for the subject property. The income approach indicated an estimated value for the subject of \$360,000. The sales comparison

approach indicated an estimated market value of \$355,000. The appellant's appraisers selected five comparable properties for the sales comparison analysis that were located in Park Ridge or Skokie. The comparables had features with varying degrees of similarity to the subject. The comparables had sale dates ranging from January 2012 to January 2013 and sold for prices ranging from \$218,000 to \$390,000. Under reconciliation, the appellant's appraisers placed most weight on the income approach to arrive at an opinion of market value for the subject of \$360,000 as of January 1, 2013. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$59,182. The subject's assessment reflects a market value of \$591,820 or \$121.42 per square foot of building area including land, when using the level of assessments for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment the board of review submitted a grid analysis containing information on three sales, one of which was located within the same neighborhood code as the subject property. The comparables were two-story or three-story mixed-use buildings of masonry or frame and masonry construction that ranged in size from 1,395 to 3,819 square feet of building area. The comparables range in age from 19 to 112 years old and have other features with varying degrees of similarity to the subject. The sales occurred from December 2012 to March 2015 for prices ranging from \$249,786 to \$632,312 or from \$165.57 to \$195.97 per square foot of building area, including land.

Conclusion of Law

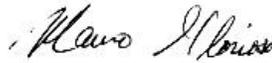
The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist 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.

As an initial finding regarding the value conclusion arrived at from appellant's January 2013 appraisal for the subject property, the Board finds its effective date occurring 23 months prior to the January 1, 2015 assessment date is not probative of the subject's market value as of the assessment date at issue.

As to the income analysis within the appraisal report, the courts have stated that where there is credible evidence of comparable sales these sales are to be given significant weight as evidence of market value. In Chrysler Corporation v. Property Tax Appeal Board, 69 Ill.App.3d 207 (1979), the court held that significant relevance should not be placed on the cost approach or income approach especially when there is market data available. In Willow Hill Grain, Inc. v. Property Tax Appeal Board, 187 Ill.App.3d 9 (1989), the court held that of the three primary methods of evaluating property for the purpose of real estate taxes, the preferred method is the sales comparison approach. Since there are credible market sales contained in the record, the Board placed most weight on this evidence.

Although the comparables presented by the board of review differ from the subject dwelling in size, the Board finds the best evidence of market value to be the board of review's comparable sales that sold in June 2014 and March 2015. These comparables were similar to the subject in location, use and some features. These comparables also sold more proximate in time to the January 1, 2015 assessment date at issue than did the comparable sales used in the appellant's appraisal and the remaining board of review's comparable #2. The best board of review comparables sold for prices of \$555,000 and \$249,786 or \$195.97 and \$179.06 per square foot of building area, land included. The subject's assessment reflects a market value of \$591,000 or \$121.42 per square foot of building area, including land, which is above the market values of the best comparables in this record on a total market value basis and below the values on a per square foot basis. After analyzing the 2012 and/or 2013 sales from the appellant's appraisal and the board of review, as well as the more recent sales presented by the board of review, 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. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.



Chairman



Member



Member



Member



Member

DISSENTING: _____

CERTIFICATION

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 13, 2019



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 or years of the same general assessment period, as provided in Sections 9-125 through 9-225, 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 such subsequent year or years 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 OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

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.

PARTIES OF RECORD

AGENCY

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