

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Wynter Weisz
DOCKET NO.: 02-22950.001-C-1
PARCEL NO.: 14-29-318-035-0000

The parties of record before the Property Tax Appeal Board (PTAB) are Wynter Weisz, the appellant, by attorney Dennis Nolan of Bartlett, and the Cook County Board of Review (board of review or the board).

The subject property is improved with a masonry construction, two-unit building with a storefront on the first floor and a residential apartment unit on the second floor. The subject contains 3,120 square feet of building area and sits on a 3,125 square foot parcel of land. The subject is located in Lake View Township.

The appellant argued that the fair market value of the subject was not accurately reflected in its assessed value. In support of that argument, an appraisal report of the subject property with an effective date of June 22, 1998 was presented. The appraiser opined a value for the subject of \$325,000. The subject was purchased in August 1996 for a price of \$235,000.

Based upon this evidence, the taxpayer requested a total assessed value for the subject of no more than \$37,600. This figure is in keeping with the Cook County Real Property Classification Ordinance that assesses class 2 properties, such as the subject at 16% of its market value. Since the subject is currently assessed at \$72,741, a reduction is requested.

The Board of review presented "Board of Review Notes on Appeal" wherein the subject's final assessment of \$72,741 was disclosed. The current assessment equates to a market value for the subject of \$454,631. The board of review provided a memorandum in support of its current assessment and four sales comparables to support the assessment. The sales were not adjusted for

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change 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: \$16,000
IMPRV: \$56,741
TOTAL: \$72,741

Subject only to the State multiplier as applicable.

PTAB/mmg

location, size, or other related factors. Based upon this evidence, the board of review requested confirmation of the subject's assessment.

After reviewing the record, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

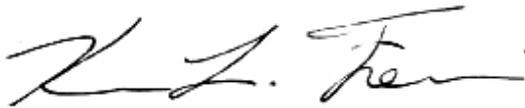
When overvaluation is claimed the appellant has the burden of proving the value of the property by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Property Tax Appeal Board, 331 Ill.App.3d 1038 (3rd Dist. 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179, 728 N.E.2d 1256 (2nd Dist. 2000). Proof of market value may consist of an appraisal, a recent arm's length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. 86 Ill.AdM.Code §1910.65(c)). Having considered the evidence and testimony presented, the PTAB finds that the appellant has not met this burden and a reduction is not warranted.

The PTAB finds that the appellant has failed to carry the burden of proof. The evidence of the subject's market value in the form of the appraisal report provided by the taxpayer is too remote in time for the tax year at issue. This evidence is from the year 1998 and the purchase of the subject is from year 1996. This evidence is not persuasive in valuing the subject for the tax year 2002. While the board of review provided evidence in the form of sales, no adjustments were made to compare these sales to the subject. However, since the taxpayer did not carry the necessary burden of proof the assessment shall remain unchanged.

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: May 30, 2008



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.