

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Steven Jackson  
DOCKET NO.: 03-24821.001-C-1  
PARCEL NO.: 20-21-320-018-0000

The parties of record before the Property Tax Appeal Board are Steven Jackson, the appellant, and the Cook County Board of Review.

The subject property consists of a three story, masonry constructed, 4,100 square foot, apartment building classified 3-15 by the Cook County Assessor's office. The subject is located in Lake Township, Cook County.

The appellant in this appeal submitted documentation to demonstrate that the subject property was improperly assessed. This evidence was timely filed by the appellant pursuant to the Official Rules of the Property Tax Appeal Board.

The appellant submitted evidence before the Property Tax Appeal Board suggesting that the subject is entitled to a class 9 or multi-family incentive provision as provided by the Cook County Assessor's Office. In support of this argument, the appellant submitted copies of the following: a Class 9 Rehabilitation Eligibility Application form, a City of Chicago Certificate of Inspection and a Class 9 Eligibility Bulletin. The appellant also argued overvaluation. The appellant's evidence disclosed that the subject was purchased in July 2001 for a price of \$137,000; was sold by realtor, advertised for sale in a multiple listing service and the seller's mortgage was not assumed. In support of this contention, the appellant provided the subject's Real Estate Sales Contract as well as the Escrow Trust

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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: \$ 4,410  
IMPR.: \$ 36,690  
TOTAL: \$ 41,100

Subject only to the State multiplier as applicable.

Final administrative decisions of the Property Tax Appeal Board are 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.

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Disbursement Statement. Based on the evidence presented, the appellant requested a reduction in the subject's assessment.

In contrast, the board of review did not submit its "Board of Review Notes on Appeal" or any evidence in support of its assessed valuation of the subject property. Accordingly, the board was defaulted.

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. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3<sup>rd</sup> Dist. 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179, 728 N.E.2d 1256 (2<sup>nd</sup> 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. Section 1910.65 *The Official Rules of the Property Tax Appeal Board* (86 Ill.Adm.Code §1910.65(c)). Having considered the evidence presented, the Board finds the appellant has satisfied this burden and a reduction is warranted.

The appellant contends the subject's Cook County Real Property Classification Ordinance of class 3-15 is incorrect and the subject's correct classification should be Major Class 9 - Multi Family Incentive. The Board finds the record is unclear whether the appellant has properly addressed the requirements to be re-classified as Major Class 9 - Multi Family Incentive. Therefore, the Board finds the subject's Cook County Real Property Classification Ordinance of class 3-15 is correct.

The Property Tax Appeal Board finds the subject's July 2001 sale for \$137,000 to be the best evidence of market value contained in the record. The Board further finds the board of review did not offer any evidence refuting the subject's sale price nor did it provide any alternate market value evidence. In fact, the board of review did not submit any evidence in support of its assessment of the subject property as required by Section 1910.40(a) of the Official Rules of the Property Tax Appeal Board.

The Board finds the Cook County Real Property Classification Ordinance shall apply to the market value finding. In Cook County, Class 3 property such as the subject is assessed at 30% of its market value. Therefore, the Board shall apply the ordinance level of 30% to the subject's market value of \$137,000, resulting in an assessment of \$41,400. Since the subject's current assessment is \$48,521, a reduction is warranted.

This is a final administrative decision of the Property Tax Appeal Board are 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: September 28, 2007



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.