

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Barbara Hanahan  
DOCKET NO.: 04-20431.001-R-1 and 05-20008.001-R-1  
PARCEL NO.: 01-02-204-010

The parties of record before the Property Tax Appeal Board (hereinafter PTAB) are Barbara Hanahan, the appellant, by Attorney David Dunkin of Arnstein & Lehr LLP in Chicago; and the Cook County Board of Review.

The subject property consists an 8,712 square foot parcel improved with a 115-year old, two-story, frame dwelling of average condition with two apartments, therein. The building contains three full baths, a full basement, and a two-car garage.

As a procedural matter, the PTAB finds that these appeals are within the same assessment triennial, involve common issues of law and fact and a consolidation of the appeals would not prejudice the rights of the parties. Therefore, under the *Official Rules of the Property Tax Appeal Board, Section 1910.78*, the PTAB hereby consolidates the above appeals.

As to the merits of this appeal, the appellant argued that the fair market value of the subject is not accurately reflected in its assessed value as the basis for this appeal. Further, the pleadings reflect an ancillary issue, specifically, the size of the subject's improvement.

The appellant's pleadings for tax years 2004 and 2005 include a small residential income property appraisal report conducted by Richard A. Parizek of the Chicago Appraisal Center. This appraisal reflects an effective date of November 30, 2001 and a market value opinion of \$317,000 for the subject property. The appraisal states that Parizek undertook an interior and exterior inspection of the subject. The appraisal reflects a detailed description of the subject's site which comprises 8,712 square feet of land. The subject property is improved with a two-story, frame, multi-family dwelling with two units and 1,924 square feet of living area. This is supported by pages within the appraisal that include a building schematic for each floor of the subject's

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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: See Page 4  
IMPR.: See Page 4  
TOTAL: See Page 4

Subject only to the State multiplier as applicable.

PTAB/KPP

improvement as well as sketch calculations. Parizek stated that the building had an effective age of 5 years due to recent renovation of the structure even though the improvement was built in 1889.

The Parizek appraisal addressed the three traditional approaches to value in developing the subject's market value estimate. The cost approach reflected a value of \$322,780, the income approach reflected a value of \$316,100, and the sales comparison approach indicated a value of \$317,000. In reconciling these approaches to value, Parizek placed main reliance on the sales comparison approach to reflect his final value of \$317,000 for the subject.

The first method developed was the cost approach. The initial step under the cost approach was to estimate the value of the site at \$120,000. Using cost manuals, Parizek estimated a reproduction cost new of the improvements at \$192,400. After inspecting the subject property, the appraiser estimated physical depreciation at \$9,620 using the age-life method; thereby, resulting in a depreciated value of the improvements at \$182,780. Parizek indicated that the improvements were of a high quality remodeling better than average for a home of this age and size within the subject's neighborhood. The value of the other site improvements totaled \$20,000 indicating a market value estimate under the cost approach of \$322,780.

Under the income approach to value, Parizek used three rental properties located within the subject's neighborhood. All the properties contain two apartments and were built from 1878 to 1970. They range in size from 2,021 to 2,460 square feet of living area and in rents from \$2,335 to \$2,650 per month. After adjustments, Parizek estimated a market value for the subject of \$316,100.

Under the sales comparison approach to value, Parizek utilized three suggested comparables that are multi-family dwellings located within the subject's neighborhood. The properties sold from August, 2000, through August, 2001, for prices that ranged from \$250,000 to \$318,000, or from \$129.27 to \$141.00 per square foot. They are improved with a two-story dwelling in good or average condition. The improvements range: in age from 34 to 123 years; in baths from two to four baths; and in size from 1,886 to 2,460 square feet of living area. Adjusted sale prices range from \$283,000 to \$321,500. Under this approach to value, Parizek estimated the subject's market value to be \$317,000. In reconciliation, he opined that the subject contained a market value of \$317,000 as of the effective date of November 30, 2001.

As to the appellant's ancillary issue of improvement size, the appellant's appraisal reflects an improvement size of 1,924 square feet of living area as well as the supporting documentation outlined previously. In contrast, the board of review's Notes on Appeal reflect an improvement size of 1,740 square feet of living area without further explanation including the absence of the subject's property record card. Based on this

evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment was disclosed as \$35,156 for tax years 2004 and 2005. Rather than address the appellant's market value argument, the board of review submitted descriptions and assessment information on a total of five comparable properties within the 2004 and 2005 evidence.

These properties are improved with a one and one-half story or two-story dwelling of frame or masonry exterior construction. The comparables range: in baths from one to three; in age from 74 to 116 years; in size from 1,476 to 2,328 square feet of living area; and in improvement assessments from \$16.80 to \$22.90 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After reviewing the record and considering the evidence, 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. 86 Ill.Admin.Code 1910.63(e). 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.Admin.Code 1910.65(c). Having considered the evidence presented, the PTAB finds that the appellant has met the burden of demonstrating that the subject is overvalued and that a reduction is warranted.

The PTAB finds that the best evidence of market value was the appellant's appraisal. The appraisal was accorded most weight in determining the subject's market value for: the analysis was conducted by an appraiser; the appraiser undertook the three traditional approaches to value in estimating a value opinion for the subject; the appraiser personally inspected the interior and exterior of the subject; and the appraiser choose appropriate market data and methodology in completing the income and sales approaches to value.

Further, the PTAB finds that the board of review failed to proffer market value evidence in support of the subject's current valuation.

As to the improvement size, the PTAB finds that the appellant's appraiser is the best evidence of the improvement's size; therefore, the subject's improvement contains 1,924 square feet of living area, most especially after the building's disclosed renovation.

On the basis of this analysis, the PTAB finds that the subject had a fair market value of \$317,000 as of the 2004 and 2005 tax

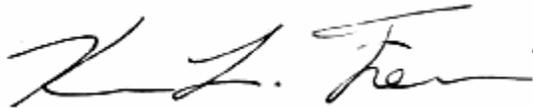
years at issue. Since fair market value has been established, the three year weighted average median level of assessments for Cook County class 2 property of 9.99% for tax year 2004 shall apply and that value shall be applied to tax year 2005 as well.

<b>DOCKET #</b>	<b>PIN</b>	<b>LAND</b>	<b>IMPROVEMENT</b>	<b>TOTAL</b>
04-20431.001-R-1	01-02-204-010	\$5,924	\$25,744	\$31,668
05-20008.001-R-1	01-02-204-010	\$5,924	\$25,744	\$31,668

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.



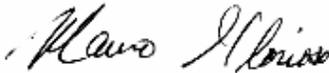
Chairman



Member

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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: December 19, 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.