

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Michael Gierman
DOCKET NO.: 05-25738.001-R-1 and 05-25738.002-R-1
PARCEL NO.: 24-36-105-027 and 24-36-105-026

The parties of record before the Property Tax Appeal Board (hereinafter PTAB) are Michael Gierman, the appellant, and the Cook County Board of Review.

The subject property consists of two parcels of land totaling 6,250 square foot parcel of land and containing two improvements. Improvement One contains a 100-year old, one and one-half story, frame, multi-family dwelling with 1,305 square feet of living area, two baths, a full, unfinished basement, and the second floor being utilized as an apartment. Improvement Two contains a one story, frame, single-family dwelling with 624 square feet of living area and one bath. The appellant argued that the fair market value of the subject property was not accurately reflected in its assessed value as the basis of this appeal.

In support of the market value argument, the appellant submitted a copy of the Settlement Statement for the subject property, and colored photographs with notations on them. The settlement statement shows the subject property sold on July 5, 2001 for \$119,000. Based upon this analysis, the appellant requested a reduction in the subject's improvement assessment.

(Continued on Next Page)

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:

<u>DOCKET #</u>	<u>PIN</u>	<u>LAND</u>	<u>IMPROVEMENT</u>	<u>TOTAL</u>
05-25738.001-R-1	24-36-105-027	\$1,749	\$10,544	\$12,293
05-25738.002-R-1	24-36-105-026	\$1,749	\$ 7,894	\$ 9,643

Subject only to the State multiplier as applicable.

PTAB/0674JBV

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's total assessment for property identification number (PIN) 24-36-105-026 was \$9,643. The board of review complaint decision indicates the total assessment for both PINs was \$21,936. This assessment reflects a market value of \$137,100 using the level of assessment of 16% for Class 2 property as contained in the Cook County Real Property Assessment Classification Ordinance. The board also submitted copies of the property characteristic printouts for Improvement Two as well as three suggested comparables located within the subject's neighborhood. The board's properties contain a one-story, masonry, frame or frame and masonry, single-family dwelling with one bath, a full, unfinished basement, and for two properties, air conditioning. The improvements range: in age from 40 to 85 years; in size from 768 to 962 square feet of living area; and in improvement assessments from \$14.09 to \$15.16 per square foot of living area. As a result of its analysis, the board requested confirmation of the subject's assessment.

In rebuttal, the appellant submitted a letter contending that the two parcels cannot be separated and sold individually and that the improvements on the property are different and not properly valued.

After considering the evidence and 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. Illinois Property Tax Appeal Board, 331Ill.App.3d 1038 (3rd Dist. 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (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.Admin.Code 1910.65(c). Having considered the evidence presented, the PTAB concludes that the evidence indicates a reduction is not warranted.

In determining the fair market value of the subject property, the PTAB finds the appellant failed to submit sufficient evidence to show that the subject property was over valued. The PTAB further finds that the sale date of July 2001, does not establish by a preponderance of the evidence the market value of the subject property for the 2005 assessment year. The 2005 assessment year is a new triennial cycle and the sale of the subject occurred at the beginning of the last triennial cycle, three and one-half

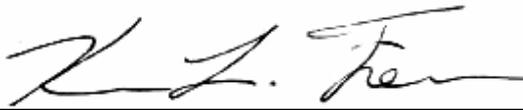
Docket No. 05-25738.001-R-1 and 05-25738.002-R-1

years prior to the lien date. Therefore, the PTAB finds that a reduction is not warranted.

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:

Docket No. 05-25738.001-R-1 and 05-25738.002-R-1

"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.