



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

APPELLANT: Sue Hanlon
DOCKET NO.: 05-26125.001-R-1
PARCEL NO.: 18-07-309-004-0000

The parties of record before the Property Tax Appeal Board are Sue Hanlon, the appellant(s), by attorney Edward Larkin, of Larkin & Larkin of Park Ridge; and the Cook County Board of Review.

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: \$ 27,324
IMPR.: \$ 93,140
TOTAL: \$ 120,464

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 78-year old, two-story style dwelling of masonry construction containing 4,534 square feet of living area with a full, unfinished basement, three and one-half baths, two fireplaces and a two-car garage.

The appellant, through counsel, argued that the subject's market value is not accurately reflected in its assessment. In support, the appellant submitted a settlement sheet dated January 2003 indicating a sale price of \$1,233,000 for the subject. The settlement sheet also reflected that a brokerage fee was paid by the seller. Counsel also asserted that the sale included \$61,650 in personal property. 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. The subject's total assessment of \$148,032 reflects a fair market

value of \$1,515,169 when the 2005 Illinois Department of Revenue's three-year median level of assessments of 9.77% for Cook County Level of Assessment Ordinance Class 2 residential properties is applied. The board of review presented a grid analysis describing the subject and acknowledging the subject's 2003 sale. 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. The Board further finds a reduction in the subject's assessment is warranted.

The issue before the Property Tax Appeal Board is the subject's fair market value. 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 (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. Section 1910.65 of the rules of the Property Tax Appeal Board (86 Ill.Adm.Code §1910.65(c)). After reviewing the record and considering the evidence the Property Tax Appeal Board finds that a reduction in the subject's assessment is warranted.

The Property Tax Appeal Board finds that the January 2003 sale price of \$1,233,000 is the best evidence in the record of the subject's fair market value as of the date at issue. The Board finds that the board of review acknowledged the sale and did not challenge the arm's length nature of the sale. Further, the Board finds the appellant's argument that \$61,650 of personal property was included in the 2003 sale price was unpersuasive and without foundation in the record. Therefore, the Board finds that the subject had a fair market value of \$1,233,000 as of January 1, 2005 and a reduction in the subject's assessment is warranted.

Lbs/09.

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.

Donald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario Morris

Member

Shawn R. Lerbis

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: October 28, 2009

Allen Castrovillari

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.