



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

APPELLANT: Michael J. Sreenan
DOCKET NO.: 06-23520.001-R-1
PARCEL NO.: 14-29-414-036-0000

The parties of record before the Property Tax Appeal Board are Michael J. Sreenan, the appellant, by attorney Thomas J. McNulty of Neal, Gerber & Eisenberg in Chicago; 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: \$ 16,901
IMPR.: \$ 55,457
TOTAL: \$ 72,358

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story multi-family building of frame and masonry construction that is 113 years old. The building has three apartment units, including a basement apartment located in the subject's full finished basement. According to the board of review, the building has 3,840 square feet of building area. According to the appellant, the building has 2,261 square feet of building area. The building is located in Chicago, Lake View Township, Cook County.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of the overvaluation argument, the appellant submitted an appraisal report in which a market value of \$715,000 was estimated for the subject property as of May 2, 2007. According to the appraiser, the subject has 2,260 square feet of building area with 1,130 square feet on the first floor and 1,130 square feet on the second floor. The appraiser did not include the basement apartment in his calculation of the building area. The appraiser developed the sales comparison approach, the income approach, and the cost approach but gave primary emphasis to the sales comparison approach for estimating the market value of the subject property. Using the income approach, the appraiser estimated a market value of \$714,850. Using the cost approach,

the appraiser estimated a market value of \$722,748. Under the sales comparison approach, the appraiser considered three comparable properties that sold from July 2006 to January 2007 for prices that ranged from \$687,500 to \$777,000. The comparable properties are improved with two-story frame dwellings that range in age from 116 to 124 years old and range in size from 2,008 to 2,500 square feet of living area. After identifying differences between the comparable properties and the subject, the appraiser made adjustments to the sale prices. As a result, the adjusted sale prices of the comparable properties ranged from \$671,318 to \$763,650. The appellant's counsel requested that the subject's total assessment be reduced to \$54,412.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$93,185 was disclosed. The subject's assessment reflects a market value of \$920,800, using the 2006 three-year median level of assessments for Cook County Real Property Assessment Classification Ordinance Class 2 property of 10.12% as determined by the Illinois Department of Revenue. (86 Ill.Admin.Code 1910.59(c)(2)). The board of review provided the subject's property characteristic sheet and assessment information. The subject property's assessment data indicated that a homeowner's exemption had been applied to the subject property, and the property characteristic sheets indicates that the subject has 3,840 square feet of building area.

The board of review presented no market value evidence. Instead, the board of review presented descriptions and assessment information on three comparable properties consisting of two-story frame and masonry multi-family buildings that are either 108 or 113 years old. The buildings range in size from 2,657 to 3,643 square feet of living area, and each building has four apartment units. These properties have improvement assessments ranging from \$19.87 to \$23.15 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 Board finds it has jurisdiction over the parties and the subject matter of the appeal. The Board further finds the evidence in the record supports a reduction in the subject's assessment.

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved 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). Proof of market value may consist of an appraisal of the subject property, a recent sale of the subject property or comparable sales. (86 Ill.Admin.Code 1910.65(c)). After an analysis of the evidence in the record, the Board finds a reduction in the subject's assessment is warranted.

The Board finds the appellant's appraisal report is the best evidence of the subject's market value as of the January 1, 2006 assessment date. The appraiser estimated a market value of \$715,000 for the subject property as of May 2, 2007. The subject's assessment reflects a market value of \$920,800 and is in excess of the market value estimate contained in the appraisal report. The board of review submitted three equity comparables but did not address or refute the overvaluation argument. Based on this record, the Board finds the subject has a market value of \$715,000 as of January 1, 2006, and the 2006 three-year median level of assessments for Cook County Real Property Assessment Classification Ordinance Class 2 property of 10.12% as determined by the Illinois Department of Revenue shall apply. (86 Ill.Admin.Code 1910.59(c)(2)).

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.

Ronald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario Morris

Member

Shawn R. Loras

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 20, 2011

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.