



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

APPELLANT: Wil Cotiguala
DOCKET NO.: 06-25590.001-R-1
PARCEL NO.: 18-05-417-008-0000

The parties of record before the Property Tax Appeal Board are Wil Cotiguala, the appellant, by attorney Edward Larkin, of Larkin & Larkin in 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: \$ 5,928
IMPR.: \$ 49,024
TOTAL: \$ 54,952

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of 7,800 square feet of land improved with a two-story, two-year old, frame and masonry, single-family dwelling. The improvement contains 3,555 square feet of living area as well as a full basement, four bathrooms, one fireplace, and a two-car garage.

As to the merits of this appeal, the appellant's attorney argued that the fair market value of the subject is not accurately reflected in its assessed value as the basis for this appeal.

The appellant's pleadings included: a legal brief; a listing of construction costs, a copy of a certificate of occupancy, a copy of a building permit, a topographical survey depicted over four pages, and a property characteristic printout for the subject.

The appellant's brief states that the land was purchased in 2002 with construction of the improvement completed by 2003. The building permit from the Village of LaGrange is dated September 6, 2002 and the temporary occupancy permit was issued on July 30, 2003. The brief indicated that the subject's construction costs

totalled \$294,000; and in support thereof, submitted a detailed listing of the improvement's construction costs. This listing also identified the subject's land purchase of \$247,282.89. Based upon this data, the appellant requested a reduction reflecting that construction cost.

At hearing, the appellant's attorney indicated that he had no personal knowledge as to the purchase price of the subject's land or whether any of the construction work was undertaken by the appellants.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment was disclosed as \$60,180. In addition, the board of review submitted descriptive and assessment data regarding four suggested comparables, two of which are located a one-quarter mile's distance from the subject property. The four properties are improved with a two-story, frame and masonry, single-family dwelling. They range: in age from one to seven years; in bathrooms from three to four; in improvement size from 3,063 to 3,747 square feet of living area; and in improvement assessments from \$22.21 to \$25.94 per square foot. Amenities include: a full basement, one fireplace, and a two-car garage. Moreover, the board of review submitted a printout evidencing the subject's land purchase in February, 2002, for \$249,000.

At hearing, the board of review's representative rested on the evidence submission. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After hearing the testimony and/or arguments as well as 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 Board finds that the appellant has met the burden of demonstrating that the subject is overvalued and that a reduction is warranted.

The Board finds that the appellant submitted evidence relating to the subject's land purchase and improvement's construction costs, the former of which was confirmed by a document in the board of review's evidence. Therefore, the Board finds that the subject property contains a market value of \$543,000.

Moreover, the Board finds that the board of review's equity analysis fails to address the sale documentation and/or construction costs submitted by the appellant.

On the basis of this analysis, the Board finds that the evidence has not supported the subject's market value and assessment as determined by the assessor and that a reduction is warranted. Since the market value has been determined, the Board shall apply the three-year medium level of assessment for class 2 property in Cook County which is 10.12%.

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. 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: February 18, 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.