



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

APPELLANT: Herman Lipscomb  
DOCKET NO.: 07-21003.001-R-1  
PARCEL NO.: 28-10-228-024-0000

The parties of record before the Property Tax Appeal Board are Herman Lipscomb, the appellant, by attorney William I. Sandrick, of Sandrick Law Firm LLC in Calumet City; 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:** \$2,420  
**IMPR.:** \$19,980  
**TOTAL:** \$22,400

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is a 2,750 square foot parcel in Midlothian, Bremen Township, Cook County. The parcel is improved with a 2-story, class 2-12 mixed use building of masonry construction. The building is 45 years old and contains 3,000 square foot of building area. The building features a partial unfinished basement.

The appellant's appeal is based on overvaluation. In support of the overvaluation argument, the appellant submitted an appraisal report estimating the subject property had a market value of \$140,000, or \$46.67 per square foot of building area including land as of January 1, 2007. The appraiser developed the sales comparison approach in estimating the market value of the subject property. The appraiser considered six comparable properties that sold between October 2004 and February 2007 (with one comparable listed but not sold), for prices that ranged from \$269,900 to \$550,000, or \$34.61 to \$55.56 per square foot of building area including land. 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 of \$32,206 was disclosed. The subject's assessment reflects a market value of \$320,777, or \$106.93 per square foot of building area using the 2007 three-year median level of assessments of 10.04% for Class 2 property under the Cook County Real Property Assessment Classification Ordinance (86 Ill.Admin.Code §1910.50(c)(2)).

The board of review presented description and assessment information on one equity comparable property which had not recently sold. This comparable is described as a 2-story, class 2-12 mixed use masonry building. The building is 67 years old and contains 7,264 square feet of building area. It has central air conditioning and a partial unfinished basement. This property has an improvement assessment of \$12.00 per square foot of building area. The only sales data presented by the board of review was a list of parcel numbers, dates of sale and sale amounts for three class 12 properties. The sales occurred between 1990 and 1997 for prices ranging from \$115,000 to \$458,892. No details or characteristics for the individual properties were presented. 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 Property Tax Appeal 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 must be proven by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3<sup>rd</sup> 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 based on overvaluation.

The appellant's comparables #4, #5 and #6 appear to be one-story buildings with no apartments. All six comparables were significantly larger than the subject. Nevertheless, the Board finds the appellant's appraisal report is the best evidence of the subject's market value in the record. After making various adjustments to the comparable sales, the appraiser estimated a market value of \$140,000 for the subject property as of January 1, 2007 or \$46.67 per square foot of building area. The subject's assessment of \$32,206 reflects a market value of \$320,777, or \$106.93 per square foot of building area, which is in excess of the market value estimate contained in the appraisal report. The board of review submitted one equity comparable but no comparable sales, and did not sufficiently refute the appellant's market value conclusion contained in the appraisal report. The Board

gave little weight to the list of three suggested comparable sales contained in the board of review's submission of evidence, due to lack of detailed descriptions for comparison to the subject. Based on this record, the Board finds a reduction in the subject's assessment commensurate with the appellant's request is appropriate.

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 M. Louie*

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: June 24, 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.