



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

APPELLANT: Michael Morreale  
DOCKET NO.: 07-22943.001-R-1  
PARCEL NO.: 13-18-101-030-0000

The parties of record before the Property Tax Appeal Board are Michael Morreale, the appellant, by attorney Edwin M. Wittenstein of Worsek & Vihon, LLP 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:** \$20,880  
**IMPR.:** \$19,280  
**TOTAL:** \$40,160

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of 13,050 square feet of land improved with a 54-year old, one-story, masonry, single-family dwelling containing 1,554 square feet of living area. The property is located in Harwood Heights, Norwood Park Township, Cook County.

The appellant contends that the market value of the subject property is not accurately reflected in the property's assessed valuation as the basis of this appeal.

In support of the market value argument, the appellant submitted an appraisal estimating the subject property had a market value of \$400,000 as of September 01, 2005. Under the cost approach to value, the appraiser determined the land value to be \$185,000 based on extraction from improved sales, the Land Sales Resource service and County records. The appraiser estimated the reproduction cost new for the subject improvements to be \$209,076 using Marshall & Swift Residential Cost Handbook and local builder's costs. Depreciation of \$13,945 was subtracted from this figure resulting in a depreciated cost new of \$195,131.

Adding the land value of \$185,000 and an "as-is" value of \$25,000 for site improvements to the depreciated cost of improvements resulted in an estimated value for the subject under the cost approach of \$405,131.

The appraiser next developed the sales comparison approach to value to estimate a value for the subject of \$400,000. The appraiser utilized three comparable sales that sold from December 2004 to July 2005 for prices that ranged from \$375,000 to \$425,000 or from \$290.18 to \$339.37 per square foot of living area, land included. The properties are improved with one-story, masonry, single-family dwellings. The dwellings range in age from 15 to 52 years and in size from 1,105 to 1,344 square feet. After making adjustments to the properties for differences to the subject, the appraiser estimated the subject's market value to be \$400,000 as of September 01, 2005.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$48,742 was disclosed. The subject's assessment reflects a market value of \$485,478 using the 2007 three-year median level of assessment for Class 2, residential property as determined by the Illinois Department of Revenue of 10.04%.

The board of review submitted four equity comparables. The properties were improved with one-story, masonry, single-family dwellings. The comparables are 52 and 53 years old. The comparables range in size from 1,450 to 1,656 square feet of living area; and range in improvement assessments from \$15.80 to \$18.03 per square foot of living area. Using the square footage of 1,554 square feet, the subject's improvement assessment is \$17.93 per square foot of living area. As a result of its analysis, the board of review requested confirmation of the subject's assessment.

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 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 (3<sup>rd</sup> Dist. 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2<sup>nd</sup> 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 Sec. 1910.65(c). Having considered the evidence presented, the Property Tax Appeal Board finds that the evidence indicates a reduction is warranted.

In determining the fair market value of the subject property, the Property Tax Appeal Board finds the best evidence to be the appellant's appraisal of \$400,000. The appraiser gave the most

weight to the sales comparison approach to value. The appellant's appraiser utilized the sales comparison approach to value in determining the subject's market value, adjustments were made for site size, age, above grade room count, gross living area, basement and finished rooms below grade, patio and fireplaces. The board of review failed to address or refute the appellant's market value argument by submitting assessment comparables.

Based on this record, the Property Tax Appeal Board finds that the subject property had a market value of \$400,000. Since the market value of the subject has been established, the 2007 three-year median level of assessment as established by the Illinois Department of Revenue for Cook County Class 2, residential property of 10.04% shall apply.

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: 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.