



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

APPELLANT: Charles Hicks
DOCKET NO.: 07-22961.001-R-1
PARCEL NO.: 20-31-204-029-0000

The parties of record before the Property Tax Appeal Board are Charles Hicks, the appellant(s), by attorney Brian P. Liston, of Law Offices of Liston & Tsantilis, P.C. in Chicago; and the Cook County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change 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: \$9,075
IMPR.: \$61,487
TOTAL: \$70,562

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 7,500 square foot parcel of land improved with a 82-year old, two-story, multi-family dwelling containing 8,240 square feet of building area. The appellant argued that the market value of the subject property is not accurately reflected in its assessed value.

In support of this overvaluation argument, the appellant submitted sales data for three properties located within the subject's neighborhood. These properties are multi-family dwellings containing 13 to 19 residential units. The properties range in size from 7,500 to 15,000 square feet of building area. The properties sold from December 2006 to September 2008 for prices ranging from \$475,000 to \$749,000 or \$33.17 to \$99.87 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$70,562 was disclosed. This assessment reflects a market value of \$320,736 or \$38.92 per square foot of building area using the Illinois Department of Revenue's 2007 three-year median level of assessment for class 3 property of 22%. In support of the subject's assessment, the board of review submitted sales data for four properties located within the subject's neighborhood. These properties are described as multi-family containing between

9 to 12 units, and ranging in size from 8,000 to 9,428 square feet of building area. The properties sold from February 2003 to April 2004 for prices ranging from \$250,000 to \$650,000 or \$28.42 to \$68.94 per square foot of living area

. In addition, the sales data included income expense data and breakdown of rent per unit for each sale comparable. 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. 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 (3d Dist. 2002; Winnbago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d (2d 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 1910.65(c). Having considered the evidence presented, the Board concludes that the evidence indicates a reduction in the subject's assessment is warranted.

In determining the fair market value of the subject property, the PTAB finds that the best evidence is the appellant's recent sales of the three comparable properties. The appellant's sale prices of the comparables range from \$475,000 to \$749,000 or \$33.19 to \$99.87 per square foot of living area. In comparison, the subject's assessment reflects a market value of \$38.93 per square foot of living area. The subject's market value of \$38.93 per square foot of living area is within the range established by the comparables. Therefore, after considering adjustments and the differences in both parties comparables when compared to the subject, the Board finds the subject's per square foot assessment is supported and a reduction is not warranted.

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

J. R.

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 22, 2012

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.