



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

APPELLANT: Brad Martin  
DOCKET NO.: 07-23540.001-R-1  
PARCEL NO.: 05-32-408-027-0000

The parties of record before the Property Tax Appeal Board are Brad Martin, the appellant, by attorney Timothy C. Jacobs of Gary H. Smith PC, 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:** \$13,617  
**IMPR.:** \$49,133  
**TOTAL:** \$62,750

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject consists of a two-story single family dwelling of masonry construction with 2,982 square feet of living area. Features include a partial finished basement, central air conditioning, two fireplaces and a two-car attached garage. The dwelling is 38 years old.

The appellant in this appeal submitted evidence to demonstrate that the subject's assessment was not reflective of fair market value. In support of this claim, the appellant submitted a copy of a residential real estate contract, a settlement statement and a complete Section IV recent sales data on the residential appeal form, indicating that the subject property sold for \$625,000 in March 2004. Based on this evidence the appellant requested a reduction in the subject's assessment to \$62,500, which reflects a market value of \$622,510.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$77,065 was disclosed. The subject's assessment reflects an estimated market value of \$767,580 using the Cook County 2007 three-year median level of assessment for class 2 property of 10.04% as determined

by the Illinois Department of Revenue. (86 Ill.Admin.Code 1910.59(c)(2)).

The board of review submitted descriptions and assessment information on four comparable properties to demonstrate the subject property is uniformly assessed. In addition, the board of review submitted 20 comparable sales in support of the subject's estimated market value. However, detailed information regarding each sale comparable was not disclosed.

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 Board further finds a reduction in the subject's assessment is warranted.

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, 331Ill.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 the appellant has met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant submitted evidence claiming overvaluation as the basis of the appeal. In support of this claim, the appellant submitted documentation disclosing the subject property sold for \$625,000 in March 2004. The appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted descriptions and assessment information on four comparable properties to demonstrate the subject property is uniformly assessed. The Board finds the board of review's equity comparables did not address the appellant's market value argument. In addition, the Board gave no weight to the market data submitted by the board of review because they lacked detail as to comparable's characteristics.

Based on this record the Board finds the best indication of market value, as of the January 1, 2007 assessment date, to be the subject's purchase price of \$625,000. Since market value has been established, the Cook County 2007 three-year median level of assessment for class 2 property of 10.04% 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.

*Donald 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: July 22, 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.