



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

APPELLANT: Douglas Ahlgrim
DOCKET NO.: 07-24731.001-R-1
PARCEL NO.: 02-14-414-003-0000

The parties of record before the Property Tax Appeal Board are Douglas Ahlgrim, the appellant(s), by attorney Terrence Kennedy Jr., of Law Offices of Terrence Kennedy Jr. 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: \$33,288
IMPR: \$85,184
TOTAL: \$118,472

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 43,800 square foot parcel of land improved with a 37-year old, masonry constructed, mixed-use commercial and residential dwelling. The subject consists of a funeral home and attached two-story residence. The appellant argued that the market value of the subject property is not accurately reflected in its assessed value.

In support of the market value argument, the appellant's pleadings included a summary appraisal of the subject property with an effective date of January 1, 2007 undertaken by Ronda Sandic, certified general real estate appraiser, and reviewed and approved by Gary T. Peterson, who holds the designation of MAI and certified general real estate appraiser. The appraisers estimated a market value for the subject of \$1,180,000.

Per the appraisal, the subject contains 11,356 square feet of above grade building area and approximately 5,6333 square feet of semi-finished basement area. The appraisal indicated that the building was constructed in 1970 and was in average condition. The subject property's parking is a special use building which would require extensive conversion expenses if alternate uses were considered.

The appraisers indicated that the subject's highest and best use as improved is for its current use, commercial development.

The appraisers developed two of the traditional approaches to value. The appraiser developed the sales comparison and the cost approaches to value.

Under the sales comparison approach to value, the appraisers utilized four sale comparables. These comparables sold from June 2003 through June 2005, for prices that ranged from \$445,000 to \$1,811,000 or from \$49.14 to \$65.31 per square foot, including land. The properties are all funeral home facilities. They ranged in building size from 9,056 to 27,731 square feet of building area. After making adjustments to the suggested comparables, the appraisers estimated that the subject's market value was \$65.00 per square foot or \$1,180,000 rounded, as of the assessment date.

Under the cost approach, the appraiser analyzed four land sales to estimate the value of the land at \$10.00 per square foot or \$440,000, rounded. The replacement cost new was utilized to determine a cost for the improvement at \$1,751,640. The appraisers used the age/life to depreciate the improvement by 60% for a value of \$700,656. Adding land value of \$440,000 resulted in a market value estimate under this approach of \$1,190,000, rounded.

The appellant's appraisers indicated the most weight was accorded to the sales comparison approach to value in reconciling a final value estimate of \$1,180,000. Based upon this data, the appellant requested a reduction in the subject's market value.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$158,144 was disclosed. This assessment reflects a market value of \$1,575,139 using the Illinois Department of Revenue's 2007 three-year median level of assessment for class 2 property of 10.04%. In support of the subject's assessment, the board of review submitted descriptions and assessment information for three properties located within the subject's neighborhood. These properties are described as one or two-story, masonry constructed, multi-family dwellings that range in size from 1,728 to 3,044 square feet of building area; and in improvement assessments from \$17.59 to \$20.22 per square foot of building area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

At hearing, the appellant and the board of review agreed that the appraisal's value of \$1,180,000 is at market value and not disputed. The appellant and board of review differed in the level of assessment that should be applied to the subject property. The appellant requested that the level of assessment for class 2 property in 2007 shall be 10% while the board of review requested a 16% level of assessment. In applying the board of review's 16% level of assessment, the market value of

the subject is \$988,400 with a total assessment of \$158,144 which is the current total assessment amount. However, the appellant argued that when applying the 10% level of assessment to the appraisal's market value of \$1,180,000, the subject's total assessment should be \$118,000.

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.

The Board finds the best evidence to be the appellant's appraisal. As to the subject's market value, the Board finds that the appellant's appraiser utilized two of the three traditional approaches to value in developing the subject's market value, The Board also finds this appraisal to be persuasive for the appraisers: have extensive experience in appraising and assessing property; personally inspected the subject property; estimated a highest and best use for the property; and utilized market data in undertaking the approaches to value; and lastly, used similar properties in the sales comparison approach while providing sufficient detail regarding each sale as well as adjustments that were necessary.

Therefore, the Board finds that the subject property contained a market value of \$1,180,000 for the tax year 2007. Since the market value of the subject has been established, the Illinois Department of Revenue's 2007 three-year median level of assessment for class 2 property of 10.04% shall apply. In applying this level of assessment to the subject, the total assessed value is \$118,472 while the subject's current total assessed value is above this amount at \$158,144. Therefore, the Board finds that a reduction is 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.



Chairman



Member



Member



Member



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: October 19, 2012



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.