FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Jay Hausler
DOCKET NO.: 07-24924.001-R-1
PARCEL NO.: 14-20-109-015-0000

The parties of record before the Property Tax Appeal Board are Jay Hausler, the appellant, by attorney Arnold G. Siegel 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:	$ 15,728
IMPR.:	$ 49,562
TOTAL:	$ 65,290

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 3,100 square foot parcel improved with a 118-year-old, two-story, multi-family dwelling of frame construction containing 2,783 square feet of living area and located in Lake View Township, Cook County. Features of the building include three full bathrooms, a full-finished basement apartment, central air-conditioning and a two-car detached garage.

The appellant, through counsel, submitted evidence before the Property Tax Appeal Board claiming the subject's market value is not accurately reflected in its assessment. In support of this claim, the appellant submitted a limited summary appraisal report prepared by Gary Wydra of City Wide Appraisal Services, Inc. of Chicago, Illinois. The appraisal report revealed that Wydra is a State of Illinois certified real estate appraiser. The appraisal disclosed that Wydra inspected the exterior of the subject property as well as the exterior of all properties listed as comparables in the appraisal report. The appraiser utilized the

sales comparison approach to estimate a market value of $650,000 for the subject as of March 24, 2008.

In the sales comparison approach to value, the appraiser employed the sales of three properties located within a distance of 0.45 miles from the subject. The comparables consist of two-story, multi-family dwellings of frame construction ranging from 108 to 118 years old. The lots range in size from 3,000 to 3,226 square feet and the improvements range in size from 1,918 to 3,036 square feet of living area. The comparables sold between May 2007 and February 2008 for prices ranging from $630,000 to $685,000 or from $225.63 to $331.07 per square foot of living area, including land. After making adjustments, the appraiser concluded a value for the subject via the sales comparison approach of $650,000 as of March 24, 2008.

In his report, the appraiser disclosed that the three comparables utilized are of equal vintage and design as compared to the subject and located within the subject's market area. Based on the evidence submitted, the appellant requested an assessment reflective of a fair market value for the subject of $650,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of $70,470 was disclosed. The assessment reflects a total market value of $701,892 for the subject, when the 2007 Illinois Department of Revenue's three-year median level of assessments of 10.04% for Class 2 property, such as the subject, is applied. In support of the assessment the board submitted property characteristic printouts and descriptive data on four properties suggested as comparable to the subject. The suggested comparables are improved with two-story, multi-family dwellings of frame construction with the same neighborhood code as the subject. The improvements range in size from 2,200 to 3,089 square feet of living area and range in age from 114 to 125 years old. The comparables contain three, three and one-half or four full bathrooms, a full-finished or unfinished basement and a two-car garage. The improvement assessments range from $20.70 to $26.83 per square foot of living area. Based on the evidence presented, 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 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 (3rd Dist, 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2nd Dist. 2000). Proof of market value may consist of an appraisal, a recent arms-length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. (86 Ill.Adm.Code §1910.65(c)) Having reviewed the record and considering the

evidence, the Board finds the appellant has satisfied this burden.

The Property Tax Appeal Board finds the best evidence of market value in the record is the limited summary appraisal report provided by the appellant. In addition, the Board finds that the board of review did not present any evidence or argument refuting the appellant's appraisal report. Moreover, the board of review's evidence does not address the appellant's market value argument. Thus, the Board finds the subject had a fair market value of $650,000 as of January 1, 2007. Since fair market value has been established, the 2007 Illinois Department of Revenue's three-year median level of assessments of 10.04% for Class 2 property shall apply and 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: December 23, 2010

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.