



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

APPELLANT: Anne-Marie Fisher
DOCKET NO.: 07-25962.001-R-1
PARCEL NO.: 10-12-314-002-0000

The parties of record before the Property Tax Appeal Board are Anne-Marie Fisher, the appellant, by attorney Joanne Elliott, of Elliott & Associates, P.C. in Des Plaines; 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: \$ 9,504
IMPR: \$ 55,254
TOTAL: \$ 64,758**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property contains a 4,950 square foot parcel of land improved with a one-story dwelling of stucco construction containing 1,080 square feet of living area. The dwelling is 78 years old. Features of the home include two baths and a full finished basement.

As to the merits of this appeal, the appellant argued that the fair market value of the subject is not accurately reflected in its assessed value as the basis for this appeal.

The appellant's pleadings include recent sales data reflecting that the subject property is located in Evanston and that it sold on May 7, 2004 for \$645,000. The appellant's statement indicated: that the sale was not between related parties; that the property was sold by representation of real estate brokers; that the subject property was advertised on the open market; and that the buyer's did not assume the seller's mortgage. In support of this sale, the appellant submitted a copy of the settlement statement, which stated a sales price for the subject property of \$645,000.

Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment was disclosed as \$116,856. This assessment reflected a total market value of \$1,163,904 or \$1078.00 per square foot based upon the application of the Illinois Department of Revenue's three-year median level of assessment for tax year 2007 of 10.04% for class 2 property, as is the subject property.

The board of review submitted descriptive and assessment data relating to one suggested comparable. The property is improved with a one-story stucco, single-family dwelling. The improvement contains 874 square feet of living area, two bathrooms, a full unfinished basement, a two and one-half car garage, and an improvement assessment of \$56.19 per square foot of living area.

In addition, the board of review's analysis reflected a sales price of the subject property of \$645,000, or for \$597.22 per square foot of living area, including land. Sales data for the comparable submitted was also included showing that it sold in August 2006 for \$572,000, or \$654.46 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After 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. *86 Ill.Admin.Code 1910.63(e)*. 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 finds that the appellant has met the burden of demonstrating that the subject is overvalued and that a reduction is warranted.

The Board finds that the best evidence of market value was the recent purchase price of the subject property. The un rebutted evidence demonstrated that the subject sold on May 7, 2004 for \$645,000. Furthermore, the subject sale was not refuted by the board of review as not being an arm's length transaction. In addition, the board of review's evidence showed a comparable sale of \$572,000 or \$654.46 per square foot of living area, including land. The subject sale occurred more proximate in time to the assessment date of issue. Therefore, on the basis of this analysis, the Board finds that the subject had a fair market value of \$645,000 as of the 2007 assessment date at issue. Since fair market value has been established, the Department of Revenue median level of assessment for Cook County class 2, residential

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property of 10.04% for tax year 2007 shall apply to this subject property.

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

Frank J. Huff

Member

Mark Morris

Member

JR

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: March 22, 2013

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.