



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

APPELLANT: Mary Pindelski  
DOCKET NO.: 07-26290.001-R-1  
PARCEL NO.: 09-35-107-024-0000

The parties of record before the Property Tax Appeal Board are Mary Pindelski, the appellant, by attorney Anthony M. Farace of Amari & Locallo 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:** \$ 9,328  
**IMPR.:** \$ 39,366  
**TOTAL:** \$ 48,694

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a two-story dwelling of frame construction. The dwelling is 21 years old. Features of the home include a full unfinished basement, central air conditioning, a fireplace, and a two-car attached garage. According to the board of review, the subject has 2,561 square feet of living area, but the appellant maintains that the subject has 2,463 square feet of living area. The subject property is located in Park Ridge, Maine Township, Cook County.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of the overvaluation argument, the appellant submitted an appraisal report in which a market value of \$500,000 was estimated for the subject property as of November 27, 2007. The appraiser developed the sales comparison approach and the cost approach in estimating the market value of the subject property. According to the appraiser, the subject property contains 2,463 square feet of living area. The appraiser provided a building sketch to show that the living area for the first and second floors was 1,072 square feet (29.99' x 35.74') for each floor. In addition, the second floor living area was augmented by adding 319 square feet of living area for a sitting room over the garage (17.53' x 18.22').

In addition to the appraisal, the appellant completed Section IV of the Residential Appeal form indicating the subject property was purchased in December 2007 for a price of \$485,000. To further document the sale, the appellant submitted a copy of the warranty deed and the real estate contract. According to the appellant, the subject has a market value of \$485,000, and the assessment should be calculated using a 10% assessment ratio applied to the purchase price. Based on this record, the appellant requested the subject's assessment be reduced to \$48,500.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$99,279 was disclosed. The subject's assessment reflects a market value of \$988,835 using the 2007 three-year median level of assessment for class 2 property of 10.04% as determined by the Illinois Department of Revenue. The board of review presented descriptions and assessment information on three comparable properties consisting of two-story frame and masonry dwellings. The comparables have the same assigned neighborhood and classification codes as the subject, and one is located in the same block as the subject. Each dwelling is 21 years old, and they range in size from 2,560 to 2,764 square feet of living area. Each comparable has central air conditioning, one or two fireplaces, a two-car attached garage, and a full basement, one of which is finished. These properties have improvement assessments ranging from \$68,889 to \$74,235 or from \$26.10 to \$26.91 per square foot of living area. According to the board of review, the subject has an improvement assessment of \$89,951 or \$35.12 per square foot of living area, but that claim is based on the subject having 2,561 square feet of living area. As part of its evidence, the board of review disclosed that comparable one sold in May 2004 for \$575,000. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After reviewing the record and considering the evidence, the Board finds it has jurisdiction over the parties and the subject matter of the appeal. The Board further finds the evidence in the record supports a reduction in the subject's assessment.

The appellant claims that the subject has 2,463 square feet of living area. The appellant submitted an appraisal in which the appraiser provided a building sketch to show how the subject's proximate living area was calculated. The board of review produced the subject's property characteristic sheet which indicates that the subject has 2,561 square feet of living area. However, the board of review did not refute the appraiser's calculation of the subject's living area. Consequently, the Board finds that the appellant produced the best evidence with respect to establishing the subject's size.

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, 331 Ill.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)). Korzen v. Belt Railway Co. of Chicago, 37 Ill.2d 158 (1967). After an analysis of the evidence in the record, the Board finds a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value in the record is the sale of the subject property in December 2007 for a price of \$485,000, which is also supported by the appraisal. The subject has a total assessment of \$99,279, which reflects a market value of \$988,835 when using the 2007 three year average median level of for class 2 property of 10.04% as determined by the Illinois Department of Revenue. The subject's assessment reflects a market value greater than the purchase price. The Board finds the board of review submitted equity comparables that do not address the overvaluation argument. The Board finds that one of the comparables submitted by the board of review sold in May 2004 for a price of \$575,000, which further demonstrates the subject is overvalued. As a final point, the board of review did not submit any evidence to show the subject's transaction was not arm's length. Based on this record the Board finds the subject had a market value of \$485,000 as of the assessment date at issue, and the 2007 three year average median level of assessment for class 2 property of 10.04% as determined by the Illinois Department of Revenue shall apply. (See 86 Ill.Admin.Code 1910.50(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.

*Ronald R. Cuit*

Chairman

*K. L. Fern*

Member

*Frank J. Huff*

Member

*Mario M. Louie*

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: April 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.