



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

APPELLANT: Patricia Ullman  
DOCKET NO.: 07-26835.001-R-1  
PARCEL NO.: 04-01-410-006-0000

The parties of record before the Property Tax Appeal Board are Patricia Ullman, the appellant, by attorney David C. Dunkin, of Arnstein & Lehr 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:** \$26,625  
**IMPR:** \$76,285  
**TOTAL:** \$102,910

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of 15,480 square foot parcel of land improved with a 3,635 square foot, 55-year old, one and one-half story, stone and frame single-family dwelling. The appellant, via counsel, argued that the fair market value of the subject was not accurately reflected in its assessed value.

In support of the market value argument, the appellant submitted an appraisal undertaken by Rick Hiton of Rick Hiton & Associates. The report indicates Hiton is a State of Illinois certified residential real estate appraiser. The appraisal is comprised of an original appraisal dated 10/20/2007 with an estimated market value of \$1,025,000 and an addendum dated 12/01/2007 with an estimated market value of \$985,000. The appraisal report utilized the sales approach to value to estimate the market value for the subject property.

Under the sales comparison approach, the appraiser's original appraisal analyzed the sales of six two-story or multi-level, masonry, dryvit, or masonry with stucco or frame single-family dwellings. The properties range: in age from 52 to 61 years and in size from 3,000 to 3,900 square feet of building area. Comparables #1 through #4 sold from August 2006 to July 2007 for

prices ranging from \$990,000 to \$1,251,500 or from \$263.78 to \$330.00 per square foot of building area, land included. Comparables # 5 and #6 were active listings from the Multiple Listing Service. These two properties are 54 years old, tri-level masonry with stone or frame, single family dwellings that range in size from 2,729 to 3,817 square feet of living area and were listed for asking prices of \$975,000 to \$1,099,000 or \$287.92 to \$357.27 per square foot of living area, including land. The appraiser adjusted each of the comparables for pertinent factors. Based on the similarities and difference of the comparables when compared to the subject, the appraiser estimated a value for the subject under the sales comparison approach of \$281.98 per square foot of building area or \$1,025,000.

The addendum to the appraisal indicates that the original appraisal's comparable #6's list price was decreased by \$100,000. The appraiser's addendum refers to this comparable as #7. The addendum includes one additional comparable identified as comparable #8. This comparable is a sale in the subject's subdivision. It is a 3,701 square foot frame and stucco single family dwelling that sold on March 2007 for \$970,000 or \$262.09 per square foot of living area, including land. Based on the similarities and difference of the comparables when compared to the subject, the appraiser's addendum to the original appraisal estimated the value of the subject under the sales comparison approach of \$281.98 per square foot of building area or \$985,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$117,538 was disclosed. The subject's final assessment reflects a fair market value of \$1,170,697 when applying the 2007 Cook County median level of assessment for Class 2 properties of 10.04%. In support of the subject's assessment, the board of review presented four suggested comparable properties located within one-quarter mile from the subject property. The properties consist of one-and-one-half story, frame and masonry single-family dwellings. The properties range in size from 2,131 to 3,084 square feet of building area. These properties have improvement assessments that range from \$23.06 to \$25.96 per square foot of living area. The board of review did not submit any evidence regarding the sales of these suggested comparables.

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.

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 (3<sup>rd</sup> Dist. 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2<sup>nd</sup> 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 PTAB concludes that the evidence indicates a reduction is warranted.

In determining the fair market value of the subject property, the PTAB finds the best evidence to be the appellant's appraisal. The appellant's appraiser utilized the sales approach to value in determining the subject's market value. The PTAB finds the original appraisal and the addendum to the appraisal to be persuasive for the appraiser: has experience in appraising; personally inspected the subject property and reviewed the property's history; and used similar properties in the sales comparison approach while providing adjustments that were necessary. The PTAB gives little weight to the board of review's comparables as the information provided did not include sales of the suggested comparable properties.

Therefore, the PTAB finds the subject had a market value of \$1,025,000 for the 2007 assessment year. Since the market value of this parcel has been established, the 2007 Cook County median level of assessment for Class 2 properties of 10.04% will apply. In applying this level of assessment to the subject, the total assessed value is \$102,910 while the subject's current total assessed value is above this amount. Therefore, the PTAB 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.

*Donald R. Cuit*

Chairman

*K. L. Fern*

Member

*Frank A. Huff*

Member

*Mario Morris*

Member

*J. R.*

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: August 28, 2012

*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.