



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

APPELLANT: Scott Sutherland & Carrie Cohan
DOCKET NO.: 07-27799.001-R-1
PARCEL NO.: 02-16-419-013-0000

The parties of record before the Property Tax Appeal Board are Scott Sutherland & Carrie Cohan, the appellants, by attorney Patrick J. Cullerton, of Thompson Coburn LLP 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: \$10,140
IMPR.: \$47,590
TOTAL: \$57,730

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of 9,750 square feet of land improved with a 16-year old, two-story, frame, single-family dwelling containing 3,109 square feet of living area. Features include a full finished basement, central air conditioning, a fireplace, and a two-car garage.

The appellants contend that the market value of the subject property is not accurately reflected in the property's assessed valuation as the basis of this appeal.

In support of the market value argument, the appellants submitted an appraisal estimating the subject property had a market value of \$575,000 as of January 1, 2007. The state certified appraiser developed the sales comparison approach to value to estimate a value for the subject property. The appraiser calculated the subject's improvement size at 3,109 square feet of living area with a building sketch to support the estimated size. He utilized four comparable sales that sold from February, 2005, through December, 2006, for prices that ranged from \$520,000 to \$600,000, or from \$167.55 to \$240.69 per square foot of living

area, land included. The properties are improved with two-story, frame and masonry, single-family dwellings. The dwellings range in age from 8 to 16 years and in size from 2,335 to 3,581 square feet. Features include full basements, central air conditioning and a fireplace. Three of the comparables have finished basements and three have two-car garages with the fourth comparable having a three-car garage. After making adjustments to the properties, the appraiser estimated the subject's market value to be \$575,000 as of January 1, 2007.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$65,266 was disclosed. The subject's assessment reflects a market value of \$650,060 using the three-year median level of assessment for Cook County Class 2, residential property as determined by the Illinois Department of Revenue of 10.04% for 2007.

The board of review submitted a total of four equity comparables. The properties were improved with two-story, frame, single-family dwellings. They ranged in age from 13 to 19 years old and ranged in size from 2,875 to 3,212 square feet of living area. The comparables had improvement assessments ranging from \$17.30 to \$18.07 per square foot of living area. Using the square footage of 3,205 square feet, the board of review indicated the subject's improvement assessment is \$17.20 per square foot of living area. As a result of its analysis, the board of review requested confirmation of the subject's assessment.

After considering the evidence and reviewing the record, 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). 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 Sec. 1910.65(c). Having considered the evidence presented, the Property Tax Appeal Board finds that the appellants have met this burden and the Board further finds the evidence indicates a reduction is warranted.

In determining the fair market value of the subject property, the Property Tax Appeal Board finds the best and only evidence in the record to be the appellants' appraisal. The appraiser utilized the sales comparison approach to value in determining the subject's market value of \$575,000 as of January 1, 2007. The four comparables utilized sold for prices reflecting \$167.55 to \$240.69 per square foot of living area, land included. The Property Tax Appeal Board finds the appraiser's conclusion of value for the subject, reflecting \$184.95 per square foot, after comparisons to the sales properties for size, age and amenities, is supported by the sales data in the appraisal.

The Property Tax Appeal Board gives less weight to the evidence submitted by the board of review. The board submitted assessment equity evidence of four properties. The Property Tax Appeal Board finds that the equity information fails to address the market value argument presented by the appellants.

Therefore, the Property Tax Appeal Board finds that the subject property had a market value of \$575,000 as of January 1, 2007. Since the market value of the subject has been established, the three-year median level of assessment as established by the Illinois Department of Revenue for Cook County Class 2, residential property of 10.04% shall apply.

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: February 22, 2013



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.