



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

APPELLANT: Karen Hairlich  
DOCKET NO.: 07-28416.001-R-1  
PARCEL NO.: 02-09-302-024-0000

The parties of record before the Property Tax Appeal Board are Karen Hairlich, 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: \$11,300  
IMPR.: \$41,278  
TOTAL: \$52,578**

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a one-story single-family dwelling of masonry construction containing 3,615 square feet of living area.<sup>1</sup> The dwelling was issued a Certificate of Occupancy by the Village of Palatine as of May 26, 2005. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a three-car garage. The property has a 12,841 square foot site and is located in Palatine Township, Cook County.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant partially completed Section VI - Recent Construction along with itemization of land costs, an itemization of buildout, various lien waivers, a Certificate of Occupancy, a Building Permit, a Closing Statement and several other documents. The appellant reported the land was purchased in April 2003. The "land costs" as itemized were \$158,526. The itemized building costs were \$367,258 which includes all costs incurred for construction including contractor's fees, architectural or engineering fees, landscaping of the homesite

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<sup>1</sup> The subject property was the subject matter of an appeal before the Property Tax Appeal Board in Docket No. 09-26807.001-R-1 wherein there was evidence regarding the size of the subject dwelling and a determination was made that the dwelling contains 3,594 square feet of living area, a slight difference that is not relevant to a market value determination in this proceeding.

and/or building permits. Thus, the appellant reported a total investment of \$525,784 in the subject property.

Based on this evidence, the appellant requested a reduction in the subject's total assessment to \$52,578 which would reflect the reported costs of acquisition and construction.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$72,429 was disclosed. The subject's assessment reflects a market value of \$721,404 when applying the 2007 three year average median level of assessments for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10.04% as determined by the Illinois Department of Revenue. (86 Ill.Admin.Code §1910.50(c)(2)(A)).

As part of its evidence, the board of review reported the subject property was purchased on August 1, 2005 for \$450,000. In support of the subject's assessment, the board of review presented information on three comparable properties, two of which included sales data. Comparables #1 and #2 which recently sold were described as one-story dwellings of masonry or frame construction that contain 1,890 and 3,670 square feet of living area, respectively. The dwellings were 10 and 24 years old. Each has the same neighborhood code as the subject property. Features of the comparables include a full or partial unfinished basement, central air conditioning, one or two fireplaces and a two-car or a three-car garage. The comparables have sites of 11,340 and 180,251 square feet of land area. The comparables sold in February 2005 and March 2004 for prices of \$439,500 and \$747,000 or for \$232.54 and \$203.54 per square foot of living area, including land. As only equity data was submitted for comparable #3, the information will not be addressed in this decision as it is not responsive to the appellant's market value argument.

Based on this evidence, 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. The Board further finds a reduction in the subject's assessment is warranted.

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); 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. (86 Ill.Admin.Code §1910.65(c)). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the appellant's evidence of recent construction costs totaling \$525,780 is the best evidence in the record of the subject's estimated market value. Moreover, the subject's recent sale price in August 2005 of \$450,000 as reported by the board of review further supports the contention that the subject's assessment that reflects an estimated market value of \$721,404 is excessive.

In light of the recent construction cost data submitted by the appellant, reduced weight has been given to the two comparable sales presented by the board of review. Comparable #1 is significantly smaller than the subject dwelling. Comparable #2 is more similar in dwelling size, but has a parcel size that is over ten times larger than the subject. Therefore, the Board finds the suggested comparable sales are sufficiently dissimilar in various respects when compared to the subject property so as not to be deemed reliable indicators of estimated fair market value of the subject.

In summary, the subject's assessment reflects a market value of \$721,404 which is significantly above the reported construction and acquisition costs for the land and improvement on this record. Based on this evidence, the Board finds the appellant did demonstrate by a preponderance of the evidence that the subject was overvalued and a reduction in the subject's assessment in accordance with the appellant's request is justified.

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 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: July 19, 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.