



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

**AMENDED DECISION**

APPELLANT: William Poulos  
DOCKET NO.: 07-30859.001-C-1  
PARCEL NO.: 14-30-107-036-0000

The parties of record before the Property Tax Appeal Board are William Poulos, the appellant; 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:** \$ 35,733  
**IMPR.:** \$ 24,267  
**TOTAL:** \$ 60,000

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a one-story, 8,694 square foot commercial building built in 1947, on a 8,776 square foot site. The property is located at 3033 N. Western Avenue in Chicago. The appellant submitted three arguments: that the property address is incorrect and should be 3033 N. Western Avenue; that the property was purchased in poor condition and due to its location, is very difficult to rent; and 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 David L. DuBois of D.L. Dubois and Associates, LTD. The report indicates DuBois is a State of Illinois certified general appraiser. The appraiser indicated the subject has an estimated market value of \$310,000 as of January 1, 2009. The appraisal report utilized the sales comparison approach to value to estimate the market value for the subject property. The appraisal finds the subject's highest and

best use as improved is its present use: and as vacant for individual development.

In describing the subject property, the appraisal lists the subject as containing 8,694 square feet of building area. The appraisal includes photographs of the subject with description of the improvements made to subject.

The development of the appraisal included an inspection of the property and neighborhood. The appraisal noted that the building is currently vacant. According to the owner the vacancy is due to the recent eviction of a tenant for lack of payment of rent for nine months time. During his analysis of the subject property, the appraiser considered the Cost and Income Approaches, however, based in part, on the age and inherent difficulty in estimating accrued depreciation, and the current occupancy, these approaches were not utilized in their report. No plat of survey was provided to the appraiser so all the building and lot dimensions cannot be guaranteed as accurate.

Under the sales comparison approach, the appraiser analyzed the sales of two properties improved with a one-story, masonry, building. The properties range: in age from 46 to 77 years and in size from 13,983 to 15,000 square feet of building area. The comparables sold from March 2008 to November 2008 for prices ranging from \$428,000 to \$530,000 or from \$28.53 to \$33.13 per square foot of building area. 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 \$35.66 per square foot of building area or \$310,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$74,035 was disclosed. The subject's final assessment reflects a fair market value of \$549,092 when the Illinois Department of Revenue 2007 three-year median level of assessment of 38% for commercial properties is applied. The board of review lists the subject as containing 8,694 square feet of building area. In support of the subject's assessment, the board of review presented descriptions and assessment information on four suggested comparables. The properties range: in age from 12 to 89 years; and in size from 8,800 to 9,514 square feet of building area.

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 no change 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, 331Ill.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.

As to the subject's address, the Board finds that the appellant submitted sufficient evidence to establish the subject's address is 3033 N Western Avenue in Chicago.

In determining the fair market value of the subject property, the Board finds the appellant's appraisal unpersuasive. The Board accords the appraisal little weight due to its age in relation to the tax year at issue which is 2007, which the appellant's effective date is January of 2009.

Moreover, the Board accorded diminished weight to this appraisal due to five points: #1 the appraisal stated that the intended use of this appraisal was solely for the appellant, therefore the Board is not an appropriate user; #2 the appraiser fails to detail what type of inspection was undertaken of the subject; #3 there is no foundation for the alleged photographs of the subject, #4 there was no plat of survey submitted by the appraiser and #5 only two sales comparables were submitted by the appraiser. The Board also gives little weight to the board of review's comparables as the information provided was unadjusted raw sales data. Therefore, the Board finds that a no change is warranted to the subject's assessment.

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: June 22, 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.