



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

APPELLANT: Frank Kimbrough
DOCKET NO.: 08-20498.001-R-1 through 08-20498.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Frank Kimbrough, the appellant(s), by attorney Brian S. Maher, of Weis, DuBrock, Doody & Maher 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
08-20498.001-R-1	25-17-106-032-0000	1,224	0	\$1,224
08-20498.002-R-1	25-17-106-034-0000	4,549	3,491	\$8,040

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of two parcels of land improved with a one-story masonry single-family dwelling. That contains 1,114 square feet of living area. The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. In support of this overvaluation argument the appellant submitted a copy of a settlement statement indicating the subject sold in June 2007 for \$96,500. The appellant's pleadings indicate the subject property's transfer was not between family or related corporations. Based on this evidence the appellant requested the subject's assessment be reduced to reflect the subject's purchase price.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$22,593 was disclosed. This assessment reflects a market value of \$253,854 using the Illinois Department of Revenue's 2008 three year median level of assessment for class 2 property of 9.60%.

In support of the subject's assessment, the board of review detailed descriptive and assessment data on four suggested equity comparables which ranged in size from 1,050 to 1,196 square feet of living area. These properties ranged in improvement assessment from \$15.38 to \$17.32 per square foot. The board of review's grid sheet indicates comparables #2 and #4 sold in 2006 for \$321.07 and \$141.97 per square foot of living 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 the evidence in the record supports a reduction in the subject's assessment.

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 (3rd Dist. 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2nd 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.

The PTAB finds the best evidence of market value is the sale of the subject in June 2007 for \$96,500. The Board takes judicial notice of the 2007 Property Tax Appeal for the subject property, docket 07-20740.001-R-1 through 07-20740.002-R-1. In that appeal, the Board found the subject's June 2007 sale price of \$96,500 to be the best indicator of the subject's market value.

Based on this record the Property Tax Appeal Board finds that the subject property had a market value of \$96,500 for the 2008 assessment year. Since market value has been determined, the 2008 three year median level of assessment for class 2 property as established by the Illinois department of Revenue of 9.60% shall apply and 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

Frank A. Huff

Member

Member

Mark Morris

Member

JR

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: May 24, 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.