



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

APPELLANT: Tiffany Agne
DOCKET NO.: 08-20956.001-R-1
PARCEL NO.: 15-25-311-002-0000

The parties of record before the Property Tax Appeal Board are Tiffany Agne, 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: \$ 11,340
IMPR: \$ 42,036
TOTAL: \$ 53,376

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 9,450 square foot land parcel improved with a two-story, 72-year old, masonry, single-family dwelling. The subject contains amenities such as a partial basement, one fireplace, two full and one half-baths, and a two-car garage.

The appellant argued 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 appellant submitted a uniform residential appraisal report of the subject property with an effective date of January 5, 2009 and a value estimate of \$556,000 undertaken by Robert Polston, a state certified residential real estate appraiser. The appraisal stated that the appraiser: personally inspected the perimeter of the subject site and surrounding immediate area; gathered and confirmed information on comparable sales; and developed the sales comparison approach to value.

The appraisal stated that the subject's highest and best use, as if improved, was the subject's existing use. The subject was

described as a two-story, single-family dwelling of average condition without major physical or functional inadequacies report at the time of inspection.

As an ancillary issue, the appraisal indicated that the subject's improvement contained 2,719 square feet of living area. In support of this size, the appraiser submitted numerous interior and exterior photographs of the subject as well as a floor plan and living area calculations.

Under the sales comparison approach to value, the appraiser utilized three sales comparables and one active listing, which were all located in Riverside, as is the subject. The three sale comparables sold from April, 2008, through July, 2008, for prices that ranged from \$537,500 to \$560,625, or from \$211.76 to \$331.79 per square foot. The properties range in age from 66 to 78 years and in size from 1,620 to 2,550 square feet of building area. After making adjustments to the suggested comparables, the appraiser estimated the subject's market value was \$556,000.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's total assessment was \$75,804. The subject's assessment reflects a market value of \$789,625 using the Department of Revenue's median level of assessment for Class 2, residential property of 9.60%.

In addition, the board of review submitted descriptive and assessment data on four suggested comparables. The properties were improved with a two-story, masonry, single-family dwelling. They ranged: in age from 69 to 87 years; in size from 2,243 to 2,520 square feet of living area; and in improvement assessments from \$25.23 to \$26.69 per square foot. Amenities included a full basement, two to three baths, one fireplace, and a two-car garage. As a result of its analysis, the board requested confirmation of the subject's assessment.

After considering the arguments and reviewing the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

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 (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 Board concludes that the appellant has met this burden and that a reduction is warranted.

In determining the fair market value of the subject property, the Board finds the best evidence to be the appellant's appraisal.

The appellant's appraiser utilized the sales comparison approach to value in determining the subject's market value. The Board further finds this appraisal to be persuasive for the appraiser personally inspected the subject property and utilized market data in the sales comparison approach while providing sufficient detail regarding each sale as well as adjustments where necessary.

Moreover, the Board finds that the board of review failed to proffer any market data in support of the subject's valuation.

Therefore, the Board finds that the subject property contained a market value of \$556,000 for tax year 2008. Since the market value of the subject has been established, the Department of Revenue median level of assessment for Class 2, residential property of 9.60% will apply. In applying this level of assessment to the subject, the total assessed value is \$53,376, while the subject's current total assessed value is above this amount at \$75,804. Therefore, the Board 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.

Ronald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario M. Louie

Member

Shawn R. Lerbis

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: April 22, 2011

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.