



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

APPELLANT: Jay Hausler  
DOCKET NO.: 08-21149.001-R-1  
PARCEL NO.: 14-30-400-009-0000

The parties of record before the Property Tax Appeal Board are Jay Hausler, the appellant, by attorney Arnold G. Siegel, of Siegel & Callahan, P.C. 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:** \$13,344  
**IMPR.:** \$36,576  
**TOTAL:** \$49,920

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of 3,750 square feet of land improved with two improvements. Improvement #1 is a 112-year old, two-story with basement and attic frame multi-family dwelling. Improvement #2 is a 118 year old frame, two story multi-family dwelling. The improvements contain an aggregated gross building area of 3,184 square feet of living area, excluding the 480 square foot attic in the primary building.

The appellant contends 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 an appraisal estimating the subject property had a market value of \$520,000 as of October 20, 2008. The appraiser developed only the sales comparison approach to value in estimating a value for the subject property. The appraiser calculated the subject's improvement size at 3,665 square feet of living area with a building sketch to support the estimated size. The square

footage estimated by the appraiser included the attic living space but does not include the basement because the basement apartment was uninhabitable due to constant flooding. The appraiser utilized three comparable sales that sold from May, 2007, through October, 2008, for prices that ranged from \$540,000 to \$650,000, or from \$150.00 to \$216.67 per square foot of living area, land included. The properties are improved with two-story, multi-family dwellings. The dwellings range in age from 114 to 128 years and in size from 3,000+ to 3,600+ square feet. After making adjustments to the properties, the appraiser estimated the subject's market value to be \$520,000 as of October 20, 2008. In a letter, the appellant's attorney requested the \$520,000 market value for the subject, as determined by the appraiser, be utilized as the subject's value as of January 1, 2008.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$100,155 was disclosed. The subject's assessment reflects a market value of \$1,043,281 using the three-year median level of assessment for Cook County Class 2, residential property as determined by the Illinois Department of Revenue of 9.60% for 2008.

The board of review submitted a total of three equity comparables. The properties were improved with two-story, frame, multi-family dwellings. They ranged: in age from 101 to 111 years; in size from 3,031 to 3,591 square feet of living area; and in improvement assessments from \$17.23 to \$18.62 per square foot of living area. Using the square footage of 3,190 square feet, the subject's improvement assessment is \$27.21 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 (3<sup>rd</sup> 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 appellant has met this burden.

In determining the fair market value of the subject property, the Property Tax Appeal Board finds the best and only evidence of the subject's fair market value contained in the record is the appraisal submitted by the appellant. The appellant's appraiser utilized the sales comparison approach to value in determining the subject's market value of \$520,000. The three comparables utilized were similar to the subject in size, age, location, and amenities. After adjustments for differences between the subject

and comparables, the adjusted sales prices for the most comparable properties to the subject ranged from \$512,900 to \$530,000, from which the appraiser concluded a value for the subject of \$520,000.

The board of review did not submit any market evidence to support its assessed valuation of the subject property. The Board gives no weight to the assessment comparables submitted by the board of review. The Board finds this evidence fails to address the market value complaint raised by the appellant.

Therefore, the Property Tax Appeal Board finds that the subject property had a market value of \$520,000 as of January 1, 2008. 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 9.60% 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: November 30, 2012



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.