



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

APPELLANT: Terese Watson
DOCKET NO.: 08-21764.001-R-1
PARCEL NO.: 28-33-407-015-0000

The parties of record before the Property Tax Appeal Board are Terese Watson, the appellant; and the Cook County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change 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: \$7,657
IMPR.: \$34,592
TOTAL: \$42,249

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story dwelling of frame and masonry construction containing 4,083 square feet of living area. The dwelling is 4 years old. Features include a full unfinished basement, central air conditioning, a fireplace and a two-car garage.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this claim, the appellant submitted Multiple Listing Service sheets for three suggested comparable properties. The comparables consist of two-story dwellings of masonry or frame and masonry construction that are one to five years old. Comparables #1 and #2 have 3,300 and 3,707 square feet of living area, respectively. The dwelling size for comparable #3 was not disclosed. Two comparables have full or partial finished basements and one has an unfinished basement. Other features include central air conditioning, a fireplace and a two and one-half or three-car attached garage. The listings indicate asking prices of \$275,000 or \$299,900. Comparable #1 sold in January 2009 for \$250,000. The appeal form also notes the subject property sold on April 24, 2006 for \$429,718.74. Based on this

evidence, the appellant requested that the subject's assessment be reduced to \$10,738.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$42,249 was disclosed. The subject's assessment reflects an estimated market value of \$440,093 or \$107.79 per square foot of living area including land using Cook County's 2008 three-year median level of assessment for class 2 property of 9.60% as determined by the Illinois Department of Revenue. (86 Ill.Admin.Code 1910.59(c)(2)).

In support of the subject's assessment, the board of review presented descriptions and assessment information on four comparable properties to demonstrate the subject property is uniformly assessed. The record also indicates comparable #4 sold in March 2006 for \$524,778 or \$128.53 per square foot of living area, land included. Comparable #4 consists of a two-story dwelling of frame and masonry construction containing 4,083 square feet of living area. The dwelling is 4 years old. Features include a full basement finished with a recreational room, central air conditioning, a fireplace and a two-car garage. The board of review's evidence also indicated the subject sold in April 2006 for a price of \$422,500. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Under rebuttal, the appellant submitted information on the board of review's comparables #1 and #3. The information revealed comparable #1 sold in October 2009 for \$370,000. The appellant also claimed that the subject's basement is unfinished. Furthermore, the appellant circled the taxes paid amounts for both comparables and requested that they be considered in this appeal.

The Board gives little weight to the appellant's tax bill analysis submitted in rebuttal. The Property Tax Appeal Board plays no part of the calculation of tax bills of the subject property or the suggested comparables contained in this record. Section 1910.10(f) of the rules of the Property Tax Appeal Board states:

The Property Tax Appeal Board is without jurisdiction to determine the tax rate, the amount of the tax bill, or the exemption of real property from taxation. (86 Ill.Admin.Code 1910.10(f)).

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 not 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, 331Ill.App.3d 1038 (3rd Dist. 2002). Proof of market value may consist of an appraisal of the subject property, a recent sale of the subject property or comparable sales. (86 Ill.Admin.Code 1910.65(c)). After an analysis of the evidence in the record, the Board finds the appellant has not met this burden of proof and a reduction in the subject's assessment is not warranted.

The appellant submitted evidence claiming overvaluation as the basis of the appeal. In support of this claim, the appellant submitted Multiple Listing Service sheets for three suggested comparable properties. The board of review submitted descriptions and assessment information on four comparable properties to demonstrate the subject property is uniformly assessed. In addition, the board of review submitted sale information for one of its comparables. The Board finds the board of review's equity comparables did not address the appellant's market value argument. The Board gives less weight to the appellant's market data. The Board finds the appellant's market evidence post dates the subject's January 1, 2008 assessment date; each either sold or were listed for sale in 2009. The Board finds this evidence is not reflective of the market as of January 1, 2008.

The Board finds the similar comparable sale #4 submitted by the board of review and the subject's sale price supports the assessment. Comparable #4 submitted by the board of review, which is similar to the subject in location, design, age and most features, sold for \$524,778 or \$128.53 per square foot of living area, including land in March 2006. The subject property sold in April 2006 for a price of \$429,719 or \$105.25 per square foot of living area, including land as reported by the appellant. The Board finds these 2006 sales are more probative of the subject's fair market value than the 2009 market evidence submitted by the appellant as of January 1, 2008. The subject's assessment reflects a market value of \$440,093 or \$107.79 per square foot of living area including land, which is supported by the subject's 2006 sale and the similar sale submitted by the board of review. Therefore, no reduction in the subject's assessment 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 Morris

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: June 24, 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.