



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

APPELLANT: Edward Villaflor
DOCKET NO.: 08-21948.001-R-1
PARCEL NO.: 14-20-120-008-0000

The parties of record before the Property Tax Appeal Board are Edward Villaflor, the appellant, by attorney Adam E. Bossov, of Law Offices of Adam E. Bossov, 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: \$20,177
IMPR: \$146,870
TOTAL: \$167,047

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a 4 year old, two-story masonry, single-family dwelling containing 3,865 square feet of living area. The subject property is classified as a class 2-08 residential dwelling and is located in Lake View Township, Cook County, Illinois. Features of the home include a full basement finished with a recreation room, central air conditioning, four fireplaces and a 2.5-car garage. The subject was purchased in 2006 for \$2,850,000.

The appellant's appeal is based both on unequal treatment in the assessment process and overvaluation. In support of the equity argument the appellant submitted information on nineteen comparable properties with the same neighborhood code as the subject property. The comparables consist of "multi"-story masonry dwellings that range in age from 1 to 13 years old. The comparable dwellings range in size from 3,803 to 4,948 square feet of living area. Eighteen of the comparables have full basements, fifteen of which are finished with recreation rooms and one comparable has a partial basement finished with a recreation room. Eighteen comparables have central air conditioning. Thirteen comparables have from 2-car to 3-car garages. Sixteen comparables have from one to four fireplaces. The comparables have improvement assessments ranging from \$31.29

to \$42.70 per square foot of living area. The subject's improvement assessment is \$55.00 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

In support of the market value argument, the appellant submitted sales information on fourteen properties the appellant utilized in his equity argument. The comparables sold from May, 2004, through January, 2010, for prices that ranged from \$675,000 to \$2,690,000 or from \$160.79 to \$579.62 per square foot of living area, land included. The properties are improved with multi-story single-family dwellings. The dwellings range in age from 1 to 13 years and in size from 3,803 to 4,838 square feet.

Also attached to the appellant's data was a printout of sales identified as occurring in the Chicago Area and suburbs during the 4th quarter of 2007. The sales were identified by community and zip code with information consisting of median sales price for the area breakdowns, price per square foot and the percent of change in the median sale price from the previous year. No other descriptive data was submitted for purposes of analyzing these properties.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment was disclosed. The board of review presented a description and assessment information on one comparable property consisting of a three-story masonry dwelling that was 3 years old. The dwelling contained 4,003 square feet of living area. Features include a full finished basement, central air conditioning and two fireplaces. This property has an improvement assessment of \$83,585 or \$19.57 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 warranted.

The appellant contends in part, unequal treatment in the subject's improvement assessment as the basis of the appeal. Taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). After an analysis of the assessment data, the Board finds the appellant has met this burden.

The Property Tax Appeal Board gives no weight to the one comparable submitted by the board of review. The property is listed as having sold in 2006 for \$148,000 and has a 2008 improvement assessment of \$83,585 or \$19.57 per square foot. With the age of the comparable listed as 1 year, the amount of the sale price calls into question whether the sale was for

vacant land or the sale of a previous improvement. In addition, the Board questions the \$83,585 improvement assessment as being a full reflection of the property's actual market value.

The Board finds the comparables submitted by the appellant were similar to the subject in location, size, style, exterior construction, features and age. The Board finds the most similar comparables were appellant's comparables #16, #17, #18, and #19. These comparables had improvement assessments per square foot of living area of \$31.29, \$37.28, \$38.91 and \$39.32, respectively. Due to their similarities to the subject, these comparables received the most weight in the Board's analysis. The subject's improvement assessment of \$55.00 per square foot of living area is well above the range established by the most similar comparables. After considering adjustments and the differences in the comparables when compared to the subject, the Board finds the subject's improvement assessment is not equitable and a reduction in the subject's assessment is warranted.

As to the overvaluation argument, The Property Tax Appeal Board finds that with a reduction based on equity, the subject's total assessment is reflective of a value per square foot indicated by the range of sales presented by the appellant. Therefore, the Property Tax Appeal Board finds no further reduction based on the appellant's overvaluation argument 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

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: February 22, 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.