



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

APPELLANT: Eleni Vlahos-Yianas  
DOCKET NO.: 08-22828.001-R-1  
PARCEL NO.: 02-16-201-019-0000

The parties of record before the Property Tax Appeal Board are Eleni Vlahos-Yianas, 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: \$10,137  
IMPR.: \$41,799  
TOTAL: \$51,936**

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a 2-story class 2-78 dwelling of frame and masonry construction containing 3,216 square feet of living area<sup>1</sup>. The dwelling is 2 years old and features a partial unfinished basement, central air conditioning, a fireplace and a 3-car garage. The dwelling is located in Palatine, Palatine Township, Cook County.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation and unequal treatment in the assessment process as the basis of the appeal. In support of the overvaluation argument, the appellant disclosed the subject was purchased in April 2008 for \$541,000, or \$168.22 per square foot of living area including land using the appellant's size of 3,216 square feet of living area. In Section IV of the appeal petition the appellant indicated the sale was through a realtor, not between family or related corporations, had been advertised in MLS, had been on the market 7 months, and was a foreclosure.

In support of the equity argument the appellant submitted information on four comparable properties described as 2-story

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<sup>1</sup> The board of review claims the dwelling contains 3,551 square feet of living area. The appellant claims the dwelling contains 3,216 due to a foyer that is open on the second floor. The appellant submitted a partial appraisal report to support the claim.

frame or frame and masonry dwellings ranging in size from 2,986 to 3,362 square feet of living area. The comparables ranged in age from 4 to 10 years old. All comparables feature full or partial unfinished basements, central air conditioning, fireplaces and 3-car garages. The comparables have improvement assessments ranging from \$13.39 to \$16.77 per square foot of living area. Based on this evidence the appellant requested that the subject's improvement assessment be reduced.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$64,645 was disclosed. The subject's assessment reflects a market value of \$673,385 or \$189.63 per square foot of living area, land included, using the board of review's size of 3,551 square feet of living area and the 2008 three-year median level of assessments for class 2 residential properties in Cook County of 9.60% as determined by the Illinois Department of Revenue. The board of review presented descriptions and assessment information on four comparable properties described as 2-story frame and masonry dwellings containing either 3,054 or 3,090 square feet of living area. The comparables were either 3 or 7 years old. All comparables feature full unfinished basements, central air conditioning, fireplaces and 2 or 3-car garages. The board of review also disclosed that the subject was previously purchased in October 2006 for \$730,000 and comparable #3 was purchased in June 2006 for \$733,000. 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 Property Tax Appeal Board further finds the evidence in the record supports a reduction in the subject's assessment.

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 must be proven 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 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 a reduction in the subject's assessment is warranted.

Initially, the Board finds the best evidence of size in the record is the appellant's explanation of the open area on the second floor supported by the partial appraisal report. The Board therefore finds the correct size of the dwelling is 3,216 square feet of living area.

In spite of the fact that the board of review submitted two sales, one of which was the subject, these sales were in 2006 prior to the real estate decline. These sales were given less

weight in the Board's analysis. The Board finds the best evidence of market value in the record is the sale price of \$541,000 or \$168.22 per square foot of living area. (86 Ill.Admin.Code 1910.65(c)). The board of review did not refute the arm's-length nature of the transaction. The subject's assessment reflects a market value of \$673,385 or \$209.39 per square foot of living area, which is in excess of the recent sale of the subject. Therefore a reduction in the subject's assessment based on overvaluation is warranted.

Since market value has been determined the 2008 three-year median level of assessments for Class 2 residential property under the Cook County Real Property Assessment Classification Ordinance of 9.60% as determined by the Illinois Department of Revenue shall apply. (86 Ill.Admin.Code §1910.50(c)(2)).

The appellant also contends unequal treatment in the subject's improvement assessment. 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 the reduction for overvaluation, the subject's improvement assessment is \$41,799 or \$13.00 per square foot of living area. Both parties submitted eight comparables similar to the subject with improvement assessments that ranged from \$13.39 to \$20.72 per square foot of living area. The subject's revised improvement assessment is below the range established by these comparables. Therefore, the Board finds the appellant failed to prove lack of assessment uniformity through clear and convincing evidence and no further 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.