



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

APPELLANT: Sarie Keller
DOCKET NO.: 08-23185.001-R-1
PARCEL NO.: 14-19-324-022-0000

The parties of record before the Property Tax Appeal Board are Sarie Keller, the appellant, by attorney James P. Regan, of Fisk Kart Katz and Regan, Ltd. in Chicago; 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: \$ 11,550
IMPR.: \$ 115,420
TOTAL: \$ 126,970

Subject only to the State multiplier as applicable.

ANALYSIS

The subject has 2,925 square feet of land, which is improved with a one year old, two-story, frame, single-family dwelling. The subject's improvement size is 2,964 square feet of living area, and its total assessment is \$126,970. This assessment yields a fair market value of \$1,322,604, or \$446.22 per square foot of living area (including land), after applying the 2008 Illinois Department of Revenue three year median level of assessment for Class 2 properties of 9.60%. The appellant, via counsel, argued that the fair market value of the subject property was not accurately reflected in its assessed value as the basis of this appeal. The pleadings indicate that this is based on the recent sale of the subject as well as sales comparables.

In support of the market value argument, the appellant submitted descriptive and sales information for the subject and four sales comparables. The comparables are described as two-story, frame, masonry, or frame and masonry, single-family dwellings. Additionally, the comparables have from 2,132 to 2,778 square feet of living area. The comparables sold in 2007 for \$800,000 to \$1,470,000, or \$293.36 to \$529.16 per square foot of living area, including land.

The appellant also submitted limited evidence showing that the subject sold in May 2007 for \$830,000. This evidence included one page of a three page settlement statement. This page was unsigned by the appellant. Furthermore, the appellant's pleadings omitted any information regarding the arm's-length nature of the transaction, whether the subject was advertised for sale on the open market, whether the parties used a real estate broker, and whether or not the sale was pursuant to a foreclosure or a short sale. The appellant also included a list of properties in the subject's neighborhood with their respective purchase price and 2008 total assessed value with no further information. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The Cook County Board of Review submitted its "Board of Review-Notes on Appeal," wherein the subject's total assessment of \$126,970 was disclosed. In support of the subject's assessment, the board of review submitted descriptive and assessment information for four properties suggested as comparable to the subject. The comparables are described as two-story, frame, single-family dwellings. Additionally, the comparables range: in age from one to four years; in size from 2,599 to 3,070 square feet of living area; and in improvement assessments from \$31.68 to \$38.44 per square foot of living area. The comparables also have several amenities. The board of review's grid sheet also states that the subject sold in May 2007 for \$830,000 or \$280.03 per square foot of living area, including land; comparable #3 sold in May 2005 for \$1,010,000 or \$388.61 per square foot of living area, including land; and that comparable #4 sold in June 2007 for \$1,150,000, or \$428.15 per square foot of living area, including land. 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 (the "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. Cook Cnty. Bd. of Review v. Prop. Tax Appeal Bd., 339 Ill. App. 3d 529, 545 (1st Dist. 2002); National City Bank of Michigan/Illinois v. Prop. Tax Appeal Bd., 331 Ill. App. 3d 1038, 1042 (3d Dist. 2002) (citing Winnebago Cnty. Bd. of Review v. Prop. Tax Appeal Bd., 313 Ill. App. 3d 179 (2d Dist. 2000)); 86 Ill. Admin. Code § 1910.63(e). 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. Calumet Transfer, LLC v. Prop. Tax Appeal Bd., 401 Ill. App. 3d 652, 655 (1st Dist. 2010); 86 Ill. Admin. Code § 1910.65(c). Having considered the evidence presented, the Board finds that the evidence indicates a reduction is not warranted.

The Board gives little weight to the appellant's purchase as the settlement statement provided was incomplete. Additionally, the pleadings failed to furnish any information regarding the arm's-length nature of the transaction, whether the subject was advertised for sale on the open market, whether the parties used a real estate broker, and whether or not the sale was pursuant to a foreclosure or a short sale. The Board further finds that comparables #1, #2, and #4 submitted by the appellant and comparables #3, and #4 submitted by the board of review were most similar to the subject in location, size, style, exterior construction, features, and/or age. Due to their similarities to the subject, these sales comparables received the most weight in the Board's analysis. These comparables had a price per square foot that ranged from \$293.36 to \$529.16, including land. The subject's price per square foot of \$446.22 is within the range established by the most similar comparables. Therefore, after considering adjustments and differences in both parties' comparables when compared to the subject, the Board finds that the subject is not overvalued based on the evidence contained in the record, and a reduction in the subject's assessment is not warranted based on the sales comparables submitted by the parties.

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.

Donald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario Morris

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: June 21, 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.