



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

APPELLANT: Abdul Bari
DOCKET NO.: 08-25949.001-R-1
PARCEL NO.: 06-08-204-039-0000

The parties of record before the Property Tax Appeal Board are Abdul Bari, 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: \$12,152
IMPR.: \$31,048
TOTAL: \$43,200

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a 3-year-old, two-story dwelling of frame construction containing 3,571 square feet of living area with a full unfinished basement, central air conditioning and a three-car garage. The subject site of 13,810 square feet of land area is located in Hoffman Estates, Hanover Township, Cook County. The subject property is a Class 2-78, two or more story residence, up to 62 years of age, 2,001 to 3,800 square feet, under the Cook County Real Property Assessment Classification Ordinance (hereinafter "Ordinance").

The parties have a description dispute in that the appellant reports that the dwelling has no fireplace and the assessing officials report that the subject enjoys a fireplace. As this matter is not critical to a determination of the correct assessment of the subject property the Board has made its determination herein on the record despite this one dispute.

The appellant's appeal is based on overvaluation of the subject property. In support of this market value argument, the appellant submitted information on three sales comparables located in the same neighborhood code assigned by the assessor as the subject. The properties were improved with two-story masonry

or frame and masonry dwellings that were 3 or 4 years old. The comparables range in size from 3,028 to 3,386 square feet of living area. Each comparable has a full unfinished basement, one of which is a walkout-style. Each dwelling has central air conditioning, a fireplace, and a two-car or three-car garage. The sales occurred from February to May 2009 for prices ranging from \$398,000 to \$445,000 or from \$124.04 to \$140.60 per square foot of living area, including land.

The appellant also reported that the subject property was purchased in March 2008, just three months after the assessment date at issue in this matter of January 1, 2008, for a price of \$449,000 or \$125.74 per square foot of living area, including land.

Based on this evidence, the appellant requested a reduction in the subject's total assessment to \$43,000 which would reflect an estimated market value of approximately \$447,917 or \$125.43 per square foot of living area, including land, when applying the 2008 three year median level of assessments for Class 2 properties under the Ordinance as determined by the Illinois Department of Revenue. (86 Ill.Admin.Code Sec. 1910.50(c)(2)(A)).

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$56,188 was disclosed. The subject's assessment reflects an estimated market value of \$585,292 or \$163.90 per square foot of living area, including land, using the 2008 three-year median level of assessments for Class 2 property under the Ordinance of 9.60%.

In support of the subject's assessment, the board of review presented descriptions with assessment data for four suggested comparable properties; two of the properties included sales data. As the equity evidence presented by the board of review fails to address the appellant's overvaluation argument, this assessment data will not be further considered on this record.

The two comparable sales in the grid analysis depict properties in the same neighborhood code assigned by the assessor as the subject. The properties are two-story frame dwellings that were each 4 years old. The homes each contain 3,614 square feet of living area and feature unfinished full or partial basements, central air conditioning, a fireplace, and a three-car garage. These comparables sold in July and August 2005 for prices of \$540,998 and \$551,888 or for \$149.70 and \$152.71 per square foot of living area, including land, respectively. 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 the assessment of the subject property is excessive and not reflective of its market value. 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 (3rd Dist. 2002). The Board finds the evidence in the record does support a reduction in the subject's assessment.

The parties submitted a total of five comparable sales for the Board's consideration. While the appellant reported the subject's sale price from March 2008 of \$449,000, the appellant did not complete this appeal based on a recent purchase of the subject, did not complete Section IV of the appeal form regarding recent sale and did not submit documentation to support the sales price information. Thus, the Board finds appellant's comparable #3 and the board of review's two sales were similar to the subject in size, age, design, construction and features.

These three properties sold between July 2005 and May 2009 for prices ranging from \$420,000 to \$551,888 or from \$124.04 to \$152.71 per square foot of living area, including land. The subject's assessment reflects a market value of approximately \$585,292 or \$163.90 per square foot of living area, including land, using the 2008 three-year median level of assessments for Class 2 property under the Ordinance of 9.60%. Given these most similar comparable sales, the Board finds the subject's assessment reflects a market value that is above the range established by the most similar comparables on a per square foot basis. Of these three sales, the one that occurred most proximate in time to the valuation date of January 1, 2008 is the appellant's sale #3, although that sale occurred 17 months after the valuation date at issue while board of review sale #4 occurred approximately 28 months prior to the assessment date at issue. After considering the differences among the most comparable sales on this record and giving consideration to the dates of sale, the Board finds the record demonstrates that the subject property's assessment is excessive in relation to its market value as of January 1, 2008 and a 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

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 24, 2012

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.