



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

APPELLANT: Laura & Michael Szot
DOCKET NO.: 08-25962.001-R-1 through 08-25962.004-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Laura & Michael Szot, the appellants, 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
08-25962.001-R-1	18-33-209-011-0000	3,536	6,012	\$9,548
08-25962.002-R-1	18-33-209-012-0000	2,720	6,012	\$8,732
08-25962.003-R-1	18-33-209-013-0000	2,380	0	\$2,380
08-25962.004-R-1	18-33-209-014-0000	2,380	0	\$2,380

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of four parcels which total approximately 18,275 square feet of land area. The property is improved with a one-story brick and frame exterior constructed single-family dwelling which was approximately 51 years old. The dwelling contains 2,283 square feet of living area as shown in a schematic drawing submitted by the appellants' appraiser. The home features an unfinished basement, central air conditioning, two fireplaces,¹ and a 3.5-car garage.² The subject property is located in Willow Springs, Lyons Township, Cook County, Illinois.

The appellants contend the market value of the subject property is not accurately reflected in its assessed valuation. In support of this argument, the appellants submitted an appraisal

¹ The appellants' appraiser reported two fireplaces whereas the assessing officials report only one fireplace.

² The appellants' appraiser reports the garage as only a 2-car building, but has no schematic, photograph or other evidence to support that contention whereas the board of review presented the property characteristics sheet in support of the garage size.

prepared by real estate appraiser Robert Wessel of R.C. Weessel & Associates, Ltd. estimating the subject property had a market value of \$240,000 as of March 2, 2009. The purpose of the appraisal was for "real estate tax contest."

In discussing the property, the appraiser noted the property was in average condition, but the garage was in fair to poor condition needing either substantial repair or replacement. There was no photographic evidence substantiating the condition of the garage.

Under the sales comparison approach, the appraiser used two sales and a listing of suggested comparable properties which were located between 0.22 and 0.36 of a mile from the subject. Comparable #3 was on the market at the time of the report for 483 days. The comparable parcels range in size from 14,400 to 19,200 square feet of land area. Each of the comparables has a view similar to that of the subject. The parcels are improved with one-story dwellings of frame, brick or frame and brick exterior construction. The dwellings range in age from 33 to 75 years old and range in size from 1,800 to 2,028 square feet of living area. Features include full or partial unfinished basements and 2-car garages. Two comparables have central air conditioning and a fireplace.

The two comparables sold in August and December 2008 and the listing was from March 2009 with prices ranging from \$215,000 to \$309,000 or from \$106.02 to \$161.78 per square foot of living area including land. In comparing the properties to the subject, the appraiser made adjustments for financing concessions, date of sale, dwelling size, basement size, and other amenity differences. This analysis resulted in adjusted sales prices for the comparables ranging from \$228,000 to \$317,500 or from \$112.43 to \$166.23 per square foot of living area land included. From this process along with the determination of a declining market, the appraiser estimated a value for the subject by the sales comparison approach of \$240,000 or \$105.12 per square foot of living area including land.

Based on this evidence, the appellants requested reductions in the assessments of the four parcels comprising the subject property.

The board of review submitted its "Board of Review Notes on Appeal." The final assessments of the four parcel total \$39,584. The final assessment of the subject property reflects a market value of approximately \$412,333 or \$180.61 per square foot of living area, including land, using the 2008 three-year median level of assessments for Class 2 property in Cook County of 9.60%.

In support of the subject's estimated market value based on its assessment, the board of review submitted a grid analysis of three equity comparables, none of which included sale data. Among the documents, the board of review included a printout of

20 sales which occurred between March 1991 and December 2008 for prices ranging from \$8,000 to \$555,000. Besides being entitled "class 04 high grade ranch home within neighborhood 21162 of Township Lyons," no other substantive details of these properties such as type, design, size and/or features was included in the data. Based on this evidence, the board of review requested confirmation of the subject's estimated market value as reflected by its assessments.

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 that a reduction in the subject's assessment is warranted.

The appellants argued that the subject's assessment was not reflective of 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. Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill. App. 3d 179, 728 N.E.2d 1256 (2nd Dist. 2000); National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill. App. 3d 1038 (3rd Dist. 2002). The Board finds this burden of proof has been met and a reduction in the subject's assessment is warranted.

The appellants submitted an appraisal of the subject property with a final value conclusion of \$240,000, while the board of review submitted three equity comparables with no substantive market value data suitable to be analyzed in comparison to the subject property. While the appraisal has a valuation date of March 2009, which is 14 months after the valuation date at issue of January 1, 2008, the Property Tax Appeal Board finds the appellants' appraisal is the only substantive evidence of the subject's market value in the record.

Based upon the market value as stated above, the Property Tax Appeal Board finds that a reduction is warranted. Since market value has been determined the 2008 three-year median level of assessment for Class 2 property in Cook County as determined by the Illinois Department of Revenue of 9.60% shall apply. 86 Ill.Admin.Code 1910.50(c)(2)(a).

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

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.