



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

APPELLANT: Heather DeCook  
DOCKET NO.: 08-26175.001-R-1  
PARCEL NO.: 03-32-305-011-0000

The parties of record before the Property Tax Appeal Board are Heather DeCook, the appellant, by attorney Ronald A. Shudnow, of Shudnow & Shudnow, Ltd. 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:** \$7,656  
**IMPR.:** \$25,944  
**TOTAL:** \$33,600

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property contains approximately 6,600 square feet of land area improved with a 2-story dwelling of brick and frame construction. The dwelling contains 2,140 square feet of living area and is 22 years old.<sup>1</sup> Features of the home include a full finished basement and a 2-car garage.<sup>2</sup> The dwelling is located in Arlington Heights, Wheeling Township, Cook County.

The appellant contends that the market value of the subject property is not accurately reflected in the property's assessed valuation as the basis of this appeal. The appellant submitted an appraisal report prepared by Israel Smith of I & M Valuation, P.C., in which a market value of \$350,000 or \$163.55 per square foot of living area, including land, was estimated for the subject property as of January 1, 2008. The appraiser developed the sales comparison approach and cost approach in estimating the fair market value of the subject property.

<sup>1</sup> The board of review claims the subject contains 2,078 square feet of living area.

<sup>2</sup> The board of review claims the subject has a partial, unfinished basement.

In the sales comparison approach, the appraiser considered three comparable properties. The comparables were located between 0.74 miles and 1.15 miles from the subject. The lots range in size from 5,965 to 8,850 square feet of land. All of the comparables are 2-story dwellings of brick and frame, aluminum and frame or aluminum and brick construction. They range in size from 1,910 to 2,605 square feet of living area and range in age from 54 to 92 years. Two of the comparables have a full, finished basement and one has a slab foundation. The comparables feature air conditioning and 1 or 2-car garages. The comparables sold between July and October 2007 for prices ranging from \$280,000 to \$395,000 or from \$146.60 to \$176.80 per square foot of living area, including land.

The appraiser adjusted the comparables for quality of construction, condition, bedroom count, gross living area, basement, garage and porch/decks. The final adjusted sale prices of the comparables range from \$336,000 to \$362,000 or from \$138.96 to \$176.29 per square foot of living area, including land.

In the cost approach, the appraiser determined a land value of \$85,000 after examination of local land sales as well as the extraction method. The appraiser consulted the Marshall & Swift Cost Manual in estimating a replacement cost new of the improvements of \$363,503. Depreciation of \$77,899 was subtracted from this figure, leaving a depreciated value of the improvements of \$285,604, to which site improvements of \$5,000 were added. Incorporating the land value resulted in an indicated value by the cost approach of \$375,604. Based on his analysis, the appraiser estimated the subject's fair market value to be \$350,000 or \$163.55 per square foot of living area, including land, as of January 1, 2008.

Based on this evidence, the appellant requested that the subject's assessment be reduced to \$35,140.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$58,068 was disclosed. The subject's assessment reflects an estimated market value of \$604,875 or \$282.65 per square foot of living area, land included, using the 2008 three-year median level of assessments for Cook County Class 2 property of 9.60% (86 Ill. Admin. Code §1910.50(c)(2)).

In support of the subject's assessed value, the board of review submitted a grid analysis of three comparable properties. The comparables ranged in age from 48 to 55 years and contained from 2,046 to 2,192 square feet of living area. The comparables consisted of 2-story frame and masonry dwellings that were each located in the same neighborhood code as the subject, as defined by the local assessor. Each comparable had a full or partial, finished basement. Two comparables had air conditioning and either a 2 or 2.5-car garage. Comparable #2 sold in August 2007

for \$560,000 or \$259.38 per square foot of living area, including land. The subject is depicted as having been purchased in November 2005 for \$660,000 or \$317.61 based on the subject containing 2,078 square feet of living area.

The board of review also submitted data regarding 20 properties wherein the board of review acknowledged the subject's purchase for \$660,000 in November 2005. The Board gives this data no weight in its analysis because detailed information regarding each sale was not submitted. 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.

The Board finds the appellant submitted an appraisal of the subject property with a final value conclusion of \$350,000 or \$163.55 per square foot of living area, including land, as of January 1, 2008. The board of review submitted one sale comparable in support of the subject's assessment. The Board finds each sale comparable submitted by both parties had sale prices that were lower than the subject's estimated fair market value as reflected by its assessment. The comparable sales ranged from \$280,000 to \$560,000 or from \$146.60 to \$259.38 per square foot of living area, including land. The subject's assessment reflects an estimated market value of \$604,875 or \$282.65 per square foot of living area, land included, which is greater than the established range contained in this record.

Further, the Board finds the best evidence in this record of the subject's fair market value as of January 1, 2008 is contained in the appraisal submitted by the appellant. The Board finds the appraiser made logical adjustments. The board of review made no adjustments to its comparable. The final adjusted sale prices of the comparables submitted by the appellant ranged from \$336,000 to \$362,000 or from \$138.96 to \$176.29 per square foot of living area, including land. The subject's estimated value as reflected by its assessment is \$604,875 or \$282.65 per square foot of living area, land included, which the Board finds is excessive based on the best evidence contained in this record.

The Board finds the appellant has proven by a preponderance of the evidence that the subject property is overvalued 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: June 22, 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.