



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

APPELLANT: Timothy Abramic
DOCKET NO.: 08-26335.001-R-1
PARCEL NO.: 27-35-404-014-0000

The parties of record before the Property Tax Appeal Board are Timothy Abramic, 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: \$ 15,525
IMPR.: \$ 29,595
TOTAL: \$ 45,120

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 21,563 square foot parcel improved with a seven-year-old, two-story, single-family dwelling of masonry construction containing 3,394 square feet of living area and located in Orland Township, Cook County. Features of the residence include two and one-half bathrooms, a full-unfinished basement, central air-conditioning, a fireplace and a three-car attached garage.

The appellant submitted evidence before the Property Tax Appeal Board arguing that the fair market value of the subject is not accurately reflected in its assessed value. In support of this claim, the appellant submitted sales information and descriptive data on seven properties suggested as comparable to the subject. Based on the appellant's documents, the seven suggested comparables consist of two-story, single-family dwellings of masonry or frame and masonry construction located within the subject's neighborhood. The improvements range in size from 3,155 to 3,583 square feet of living area and range in age from seven to ten years old. The comparables contain two and one-half or three full bathrooms, a full-unfinished basement, central air-

conditioning, a fireplace and a multi-car attached garage. The sales occurred from January 2005 to December 2007 for prices ranging from \$385,000 to \$520,000.

In addition, the appellant submitted a uniform residential appraisal report prepared by Rick S. Hiton, of Rick Hiton & Associates in Northbrook, Illinois. The appraisal revealed that Hiton is a State of Illinois certified real estate appraiser. The appraisal disclosed that Hiton conducted an interior and exterior inspection of the subject property. The appraiser utilized the sales comparison approach to estimate a market value of \$470,000 for the subject as of January 29, 2009.

In the sales comparison approach, the appraiser used three residential sales located within a distance of 1.89 miles from the subject. Two of the comparables are located within 0.11 miles of the subject. The lots range in size from 9,750 to 10,625 square feet and the improvements range in size from 2,974 to 4,050 square feet of living area. The comparables sold between April 2008 and September 2008 for prices ranging from \$430,000 to \$472,500 or from \$107.90 to \$144.59 per square foot of living area, including land. After adjustments, the appraiser concluded a value for the subject via the sales comparison approach of \$470,000 as of January 29, 2009.

The appraisal disclosed that the three comparables utilized in the report were the best available and similar to the subject in overall utility and function as well as amenities. Based on the evidence submitted, the appellant requested an assessment reflective of a fair market value for the subject of \$470,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's total assessment of \$52,513. The assessment reflects a total market value of \$547,010 for the subject, when the 2008 Illinois Department of Revenue's three-year median level of assessments of 9.60% for Class 2 property, such as the subject, is applied. In support of the assessment the board submitted property characteristic printouts and descriptive data on four properties suggested as comparable to the subject. The suggested comparables are improved with two-story, single-family dwellings of masonry construction. Three comparables have the same neighborhood code as the subject. The improvements range in size from 3,544 to 3,643 square feet of living area and range in age from seven to sixteen years old. The comparables contain two and one-half, three or three and one-half bathrooms, a full-finished or unfinished basement, central air-conditioning, one or two fireplaces and a three-car attached garage. The improvement assessments range from \$10.80 to \$11.25 per square foot of living area. Based on the evidence presented, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant submitted a one-page letter highlighting various differences between the subject and the board of review's comparables. In addition, the appellant

submitted an appraisal report effective July 13, 2010 and argued it further supported a reduction in 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.

First, the Property Tax Appeal Board did not consider the 2010 appraisal report submitted in rebuttal. Section 1910.66 (c), of the Official Rules of the Property Tax Appeal Board states in part, "Rebuttal evidence shall not consist of new evidence such as an appraisal or newly discovered comparable properties." 86 Ill. Adm. Code §1910.66(c). Therefore, the Property Tax Appeal Board is precluded from considering the appraisal report submitted as rebuttal evidence.

Next, 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 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); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2nd Dist. 2000). Proof of market value may consist of an appraisal, a recent arms-length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. (86 Ill.Adm.Code §1910.65(c)) Having considered the evidence presented, the Board finds the appellant has satisfied this burden and a reduction is warranted.

In determining the fair market value of the subject property, the Property Tax Appeal Board finds the best evidence to be the appellant's 2009 appraisal report. The appellant's appraiser utilized the sales comparison approach to value to estimate the fair market value of the subject. The Board finds the appraisal to be persuasive for the appraiser; has experience in appraising; personally inspected the subject property and reviewed the subject's history; utilized appropriate market data in undertaking the sales comparison approach to value; and lastly, used similar properties in the sales comparison approach while providing sufficient detail regarding each sale as well as adjustments that were necessary. The Board gives little weight to the board of review's comparables as the information provided was raw sales data with no adjustments made.

Therefore, the Board finds the subject had a fair market value of \$470,000 as of January 1, 2008. Since fair market value has been established, the 2008 Illinois Department of Revenue's three-year median level of assessments of 9.60% for Class 2 property shall apply and a reduction 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: April 22, 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.