



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

APPELLANT: William Bianucci  
DOCKET NO.: 08-27668.001-R-1  
PARCEL NO.: 27-18-105-003-0000

The parties of record before the Property Tax Appeal Board are William Bianucci, 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:** \$16,487  
**IMPR.:** \$60,483  
**TOTAL:** \$76,970

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of 37,471 square feet of land improved with a 3-year old, two-story, masonry, single-family dwelling containing 3,991 square feet of living area.

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.

In support of the market value argument, the appellant submitted a broker's report estimating the subject property had a market value ranging from \$649,190 to \$801,770 depending on marketing time. The broker developed the sales comparison approach to value to estimate the value for the subject. The broker utilized three comparable sales that sold from May, 2008, through March, 2009, for prices that ranged from \$645,000 to \$805,000, or from \$164.29 to \$210.37 per square foot of living area, land included. The properties are improved with a two-story, single-family dwelling. The dwellings range in age from 4 to 16 years and in size from 3,066 to 4,900 square feet. After making adjustments to the properties, the broker estimated the subject's market value to be within the range stated earlier.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$84,933 was disclosed. The subject's assessment reflects a market value of \$884,719 using the 2008 three-year median level of assessment for Class 2, residential property as determined by the Illinois Department of Revenue of 9.60%.

The board of review submitted four equity comparables. The properties were improved with two-story, masonry, single-family dwellings. They ranged in age from 11 to 18 years; in size from 4,180 to 4,387 square feet of living area; and in improvement assessments from \$17.00 to \$17.31 per square foot of living area. Using the square footage of 3,991 square feet, the subject's improvement assessment is \$17.15 per square foot of living area. As a result of its analysis, the board of review requested confirmation of the subject's assessment.

After considering the evidence and reviewing the record, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

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 (3<sup>rd</sup> Dist. 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2<sup>nd</sup> Dist. 2000). 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. 86 Ill.Admin.Code Sec. 1910.65(c). Having considered the evidence presented, the Property Tax Appeal Board finds that the evidence indicates 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 broker report. The appellant's broker utilized the sales comparison approach to value in determining the subject's market value. The broker utilized recent comparable sales to estimate the market value of the subject property. The board of review did not address the market value argument when it submitted four equity comparables.

Therefore, the Property Tax Appeal Board finds the best evidence of the subject's market value is the broker's report, which estimated a range of \$649,190 to \$801,770. The board of review failed to refute the broker's report with market value evidence. The Board finds the subject's estimated market value assessment is excessive based on the recent sales data of the comparables, therefore, 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: May 20, 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.