



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

APPELLANT: Mark Peschke
DOCKET NO.: 08-27970.001-R-1
PARCEL NO.: 04-35-404-007-0000

The parties of record before the Property Tax Appeal Board are Mark Peschke, 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: \$21,782
IMPR.: \$33,898
TOTAL: \$55,680

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is an 18,152 square foot parcel in Glenview, Northfield Township, Cook County. The parcel is improved with a 2-story dwelling of frame construction containing 1,988 square foot of living area. The dwelling is 67 years old. Features of the home include a partial finished basement, central air conditioning, 2 fireplaces and a 2-car garage.

The appellant's appeal is based on both unequal treatment in the assessment process and overvaluation. In support of the overvaluation arguments, the appellant submitted both an appraisal and documentation of a recent sale. In the appraisal report, a market value of \$580,000 was estimated for the subject property as of May 8, 2007. The appraiser developed the sales comparison approach in estimating the market value of the subject property. The appraiser considered three comparable properties that sold between July 2006 and May 2007 for prices that ranged from \$585,000 to \$619,500. After adjustments, the three comparables reflected market values ranging from \$568,200 to \$607,100. The appellant also disclosed that the property was purchased in May 2007 in an arm's length transaction for \$575,000 and expended \$12,500 in renovations prior to occupying the property in August 2007.

In support of the assessment inequity argument, the appellant submitted information on three comparable properties described as

2-story masonry or frame and masonry dwellings that range in age from 65 to 75 years old. The comparable dwellings range in size from 1,913 to 2,133 square feet of living area. All comparables feature partial basements, one of which is finished. All have 1 or 2 fireplaces and 1 or 2-car garages. Two comparables feature air conditioning. The comparables have improvement assessments ranging from \$20.98 to \$27.70 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment was disclosed. The board of review presented descriptions and assessment information on four comparable properties, none of which had recently sold. These comparables consist of 2-story frame or frame and masonry dwellings all 60 or 66 years old. The dwellings range in size from 1,391 to 1,894 square feet of living area. All comparables feature full or partial basements, three of which are finished. All have 1 or 2-car garages. Three comparables feature 1 or 2 fireplaces and one has central air conditioning. These properties have improvement assessments ranging from \$30.90 to \$34.25 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal the appellant summarized the key points of the original appeal and challenged the board of review's "Notes on Appeal".

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 (3rd 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 based on overvaluation.

The Board finds the appellant's sale price plus renovation is the best evidence of the subject's market value as of the January 1, 2008 assessment date. This value is supported by the appraisal. After making various adjustments to the comparables sales, the appraiser estimated a market value of \$580,000 for the subject property as of May 8, 2007. The value of the subject indicated in the appraisal report is supported by the recent arm's length sale of the subject for \$575,000 plus the additional \$12,500 the appellant spent on renovation prior to occupying the dwelling.

The subject's assessment of \$83,687 reflects a market value of \$871,740 using the 2008 three-year median level of assessments for Class 2 residential property in Cook County of 9.60% which is in excess of the market value estimate contained in the appraisal report and the purchase price plus renovations. The board of review submitted four equity comparables, none of which were recent sales, and did not sufficiently refute the appellant's market value conclusion contained in the appraisal report. Therefore, the Board finds a reduction is warranted based on overvaluation.

Since market value has been determined the 2008 three-year median level of assessments for Class 2 residential property under the Cook County Real Property Assessment Classification Ordinance of 9.60% as determined by the Illinois Department of Revenue shall apply. (86 Ill.Admin.Code §1910.50(c)(2)). Therefore, the revised improvement assessment after reduction for overvaluation is \$55,680, or \$17.05 per square foot of living area.

The appellant also contends unequal treatment in the subject's improvement assessment as the basis of the appeal. Taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). After an analysis of the assessment data, the Board finds the appellant has not met this burden.

The Board finds the comparables submitted by both parties were similar to the subject in location, style, features and age. These seven comparables had improvement assessments that ranged from \$20.98 to \$34.25 per square foot of living area. The subject's revised improvement assessment of \$17.05 per square foot of living area is below the range established by all the comparables. Therefore, the Board finds no further reduction is warranted based on equity.

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.