



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

APPELLANT: Elaine Watt
DOCKET NO.: 08-28279.001-R-1
PARCEL NO.: 24-17-307-026-0000

The parties of record before the Property Tax Appeal Board are Elaine Watt, the appellant; and the Cook County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change 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: \$ 5,145
IMPR.: \$ 13,496
TOTAL: \$ 18,641

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of an 8,040 square foot parcel of land improved with a one-story, single-family dwelling of masonry construction containing 973 square feet of living area. The dwelling is 55 years old. Features of the home include one full bathroom and a one-car garage.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant's evidence disclosed the subject was purchased in April 2002 for a price of \$130,000; the sale was not a transfer between family or related corporations; the subject was sold by Realtor, advertised for sale with a multiple listing service, and the seller's mortgage was not assumed. In addition, the appellant submitted copies of the subject's settlement statement, closing statement and plat of survey. Based upon this information, the appellant requested an assessment reflective of a fair market value for the subject of \$130,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$18,641 was disclosed. The assessment reflects a total market value of \$194,177 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 one-story, 54 or 55 year-old, single-family dwellings of masonry construction located within one-quarter mile of the subject. The improvements consist 973 square feet of living area. Features of the home include one bathroom and a one-car garage or two-car garage for two properties. The improvement assessments range from \$14.90 to \$15.56 per square foot of living area. Based on the evidence presented, 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.

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 reviewed the record and considering the evidence, the Board finds the appellant has satisfied not this burden.

The appellant's evidence disclosed the subject was purchased in August 2002 for a price of \$130,000; the sale was not a transfer between family or related corporations; the subject was sold by Realtor, advertised for sale with a multiple listing service, and the seller's mortgage was not assumed. In addition, the appellant submitted copies of the subject's submitted copies of the subject's settlement statement, closing statement and plat of survey. The Board finds the subject's April 2002 sale for \$130,000 to old to accurately reflect 2008 market value. The Board further finds the board of review failed to present any evidence to refute the arm's length nature of the sale. Moreover, the board of review's evidence neglects to address the appellant's market value argument.

Therefore, the Board finds the appellant failed to show by a preponderance of the evidence that the subject over is valued and reduction is not warranted

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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

Frank J. Huff

Member

Member

Mario M. Louie

Shawn P. Lerbis

Member

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: September 23, 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.