



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

APPELLANT: Virginia Carlson
DOCKET NO.: 08-28514.001-R-1
PARCEL NO.: 27-29-214-119-0000

The parties of record before the Property Tax Appeal Board are Virginia Carlson, the appellant(s); 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: \$ 5,680
IMPR.: \$24,560
TOTAL: \$30,240**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of 3,945 square feet of land and is improved with a ten year old, one-story, frame and masonry dwelling with 1,593 square feet of living area. The subject includes two baths, a partial unfinished basement, air conditioning, a fireplace, and a two-car garage. The subject was purchased in October 2005 for \$315,000, or \$197.74 per square foot of living area. The subject's land assessment is \$5,680, or \$1.44 per square foot of land.

The appellant argues that the market value of the subject property is not accurately reflected in its assessed value, and requests a reduction in the subject's land assessment and improvement assessment. In support of this overvaluation argument, the appellant submitted descriptions and sales information on three properties suggested as comparable and located within two blocks of the subject. The properties are described as two-story, frame and masonry dwellings, which range in age from 10 to 13 years old, and in size from 1,952 to 2,100 square feet of living area. These comparables have from two to two and one-half baths, air conditioning, one fireplace, and a two-car garage. These comparables sold from September 2008 to June 2009 for between \$270,000 to \$285,000, or \$128.57 to \$146.00 per square foot of living area. The land size for the comparables ranges from 3,026 to 5,424 square feet of land, or

from \$1.00 to \$1.44 per square foot of land. Based on this evidence, the appellant requested a reduction in the subject's total assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$30,421 was disclosed. This assessment yields a market value of \$316,885 for the subject, using the Illinois Department of Revenue's 2008 three-year median level of assessment for class 2 property of 9.60%. This market value equates to \$198.92 per square foot of living area for the subject.

In support of the subject's assessment, the board of review submitted descriptions and assessment information for three properties located on the subject's block. These properties are described as one-story, frame and masonry dwellings, which are 11 or 12 years old, and all contain 1,593 square feet of living area. The dwellings all have a partial unfinished basement, air conditioning, a fireplace, and a two-car garage. These properties have improvement assessments ranging from \$15.61 to \$15.66 per square foot of living area. The board of review did not submit any sales information for these dwellings.

The board of review's comparables have land sizes ranging from 3,860 to 3,901 square feet of land. These comparables have land assessments ranging from \$5,558 to \$5,617, or \$1.44 per square foot of land.

The board of review also submitted a list of sales of properties located within the subject's neighborhood. This list included the PIN, deed number, the date of the sale, and the sale price for forty properties, including the sale of the subject in October 2005 for \$315,000. No other information was given regarding these properties. Based on this evidence, the board 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 overvaluation is claimed, the appellant has the burden of proving the value of the property by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3d Dist. 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2d 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 1910.65(c). Having considered the evidence presented, the Board concludes that the evidence indicates a reduction is warranted.

The Board finds the best evidence of the subject's market value is the sale of the subject in October 2005 for \$315,000. The sale is within three years of the 2008 assessment date, and the

subject's assessment reflects a market value greater than this purchase price. The Board accorded the appellant's comparables less weight because of the difference in improvement size between the comparables and the subject.

Based on this record the Board finds that the subject property had a market value of \$315,000 for the 2009 assessment year. Since market value has been determined, the 2008 three-year median level of assessment for class 2 property as established by the Illinois Department of Revenue of 9.60% shall apply. In applying this level of assessment to the subject, the total assessed value is \$30,240 while the subject's current total assessed value is slightly above this amount. Therefore, the Board finds that a reduction is warranted.

The appellant also asked for a reduction in the subject's land assessment. In regards to this argument, the Board finds that the subject's land is assessed properly when compared to the comparables submitted by the parties. The comparables had land assessments ranging from \$1.00 to \$1.44 per square foot of land, while the subject's land assessment is \$1.44 per square foot of land. Therefore, the subject's land assessment is within the range established by the comparables, and a reduction is not warranted for the subject's land assessment.

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.

Donald 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: April 20, 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.