



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

APPELLANT: Robert & Mary Bak  
DOCKET NO.: 08-28944.001-R-1  
PARCEL NO.: 04-27-308-010-0000

The parties of record before the Property Tax Appeal Board are Robert & Mary Bak, the appellants, by attorney Joe Lee Huang, of Law Offices of Terrence Kennedy Jr. in Chicago; 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:** \$ 19,700  
**IMPR.:** \$ 124,165  
**TOTAL:** \$ 143,865

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a seven-year old, two-story, masonry, single-family dwelling containing 6,135 square feet of living area. The property is situated on a 15,391 square foot lot. Additional features of the dwelling include five bedrooms, five full and two half baths, central air conditioning, two fireplaces, a full, unfinished basement and an attached three-car garage. The appellants, via counsel, argued that the market value of the subject property is not accurately reflected in its assessed value.

In support of this overvaluation argument, the appellants submitted a copy of a sworn contractor's statement indicating that the construction costs for the subject improvement totaled \$728,382. This statement was signed by Joseph J. Christopoulos, the president of JCJ Homes, Inc. and dated May 9, 2005. Additionally, the appellants enclosed a settlement statement dated June 13, 2000 indicating a property was purchased for \$374,900. The appellants failed to complete Section VI, Recent Construction Information, on their petition which would evidence:

the date the occupancy permit was issued; when the building was habitable; when construction was completed; and if the costs incurred included demolition, landscaping, building permits and/or other costs. Based on this evidence, the appellants requested the subject's assessment be reduced to reflect the subject's construction costs plus the Assessor's proposed land assessment.

The board of review submitted its "Board of Review-Notes on Appeal" wherein the subject's total assessment of \$143,865 was disclosed. This assessment reflects a market value of \$1,498,594 using the Illinois Department of Revenue's 2008 three year median level of assessment for class 2 property of 9.6%. In support of the subject's assessment, the board of review presented descriptive and assessment information for four properties suggested as comparable, all of which are located on the same block as the subject. The property is described as a seven year old, two-story, masonry, single-family dwelling with five bedrooms, two fireplaces and central air conditioning. They range: in improvement size from 5,113 to 5,480 square feet; and in improvement assessment from \$20.73 to \$21.89 per square foot of living area. The subject's improvement assessment is \$20.24 per square foot of living area. Based on this evidence, 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. The Board further finds the evidence in the record does not support a reduction in the subject's assessment.

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*, 331Ill.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 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 not warranted.

In determining the fair market value of the subject property, the Board finds that both the appellants and board of review indicated that the subject dwelling is seven years old. Based on this finding, the Board has determined these construction costs as submitted by the appellants are too far removed from the subject's lien date to establish a current market value for the subject property. It is also unclear from the settlement statement if the appellants' purchase was for land only, or a dwelling that was demolished for new construction. Regardless, the settlement statement from 2000 is also too far removed from

the subject's lien date to establish a current market value for the subject. Moreover, the appellants failed to provide any information as to: the date the land was purchased; the date the occupancy permit was issued; when the building was habitable; when construction was completed; and if the costs incurred included demolition, landscaping, building permits and/or other costs. Therefore, the Board finds the appellants have failed to meet their burden of proving by a preponderance of the evidence that the subject is overvalued and, therefore, a reduction is not 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.

*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: June 22, 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.