



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

APPELLANT: Helen Vukovich
DOCKET NO.: 08-28985.001-R-1
PARCEL NO.: 10-22-403-043-0000

The parties of record before the Property Tax Appeal Board are Helen Vukovich, the appellant(s), by attorney Edward M. Burke, of Klafter & Burke 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: \$ 8,865
IMPR: \$ 62,800
TOTAL: \$ 71,665**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject has 6,519 square feet of land, which is improved with a one year old, two-story, masonry, single-family dwelling. The subject's improvement size is 3,353 square feet of living area, and its total assessment is \$71,665. This assessment yields a fair market value of \$746,510, or \$222.64 per square foot of living area (including land), after applying the 2008 Illinois Department of Revenue three year median level of assessment for Class 2 properties of 9.60%. The appellant, via counsel, argued that the fair market value of the subject property was not accurately reflected in its assessed value as the basis of this appeal.

In support of the market value argument, the appellant submitted evidence showing that the subject sold in August 2005 for \$260,000. This evidence included a settlement statement, a printout from the Multiple Listing Service, and a printout from the Cook County Recorder of Deeds' website. Furthermore, the appellant's pleadings state that the sale was not between related parties, and that the sale was not pursuant to a foreclosure or a short sale. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The Cook County Board of Review submitted its "Board of Review-Notes on Appeal," wherein the subject's total assessment

of \$71,665 was disclosed. In support of the subject's assessment, the board of review submitted descriptive and assessment information for four properties suggested as comparable to the subject. The comparables are described as two-story, masonry, single-family dwellings. Additionally, the comparables range: in age from one to four years; in size from 3,012 to 3,032 square feet of living area; and in improvement assessments from \$19.60 to \$20.17 per square foot of living area. The comparables also have several amenities. The board of review's grid sheet also states that the subject sold in August 2005 for \$260,000, or \$77.54 per square foot of living area, including land; and that Comparable #3 sold in August 2007 for \$790,000, or \$262.28 per square foot of living area, including land.

The board of review also included several permits regarding the subject property. The first permit was issued on March 2, 2006, and was for demolishing the current improvement and constructing a new building. According to this permit, the Cook County Assessor appraised the subject on May 2, 2007, and determined that a partial assessment should be applied and that the subject should be rechecked the following year. It was also noted that the improvements were wrecked, and that the new improvements would need to be assessed.

The second permit states that the Assessor rechecked the subject on August 25, 2008. This permit states that the subject should no longer receive a partial assessment, and that the new improvements maintain the subject's market value, absent the partial assessment. 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 (the "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. Cook Cnty. Bd. of Review v. Prop. Tax Appeal Bd., 339 Ill. App. 3d 529, 545 (1st Dist. 2002); National City Bank of Michigan/Illinois v. Prop. Tax Appeal Bd., 331 Ill. App. 3d 1038, 1042 (3d Dist. 2002) (citing Winnebago Cnty. Bd. of Review v. Prop. Tax Appeal Bd., 313 Ill. App. 3d 179 (2d Dist. 2000)); 86 Ill. Admin. Code § 1910.63(e). 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. Calumet Transfer, LLC v. Prop. Tax Appeal Bd., 401 Ill. App. 3d 652, 655 (1st Dist. 2010); 86 Ill. Admin. Code § 1910.65(c). Having considered the evidence presented, the Board finds that the evidence indicates a reduction is not warranted.

The Board finds the sale of the subject in August 2005 for \$260,000 is not indicative of the subject's market value as of

January 1, 2008. The subject is only one year old, and there are permits showing that the improvement that was previously upon the subject was demolished and a new improvement constructed thereon. The Board finds that the demolition occurred sometime between the date the demolition permit was issued, March 2, 2006, and the date the Assessor went to appraise the subject on May 2, 2007. The construction of the new improvement was completed by August 25, 2008, the date the Assessor rechecked the subject. Thus, the chronology of events is as follows: 1) the subject is purchased in August 2005 for \$260,000; 2) the subject is demolished sometime thereafter, but prior to May 2, 2007; and 3) a new improvement is constructed thereon, sometime prior to August 25, 2008. Under this timeline, the purchase price of the subject from August 2005 reflects the fair market value of the previous improvement, and not of the improvement that was upon the subject on January 1, 2008. Therefore, the Board finds that the subject is not overvalued, and 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: December 20, 2013

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.