



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

APPELLANT: Elena Shur
DOCKET NO.: 08-29912.001-R-1
PARCEL NO.: 10-15-401-034-0000

The parties of record before the Property Tax Appeal Board are Elena Shur, 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: \$6,000
IMPR.: \$23,400
TOTAL: \$29,400

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 5,000 square foot parcel of land improved with a 53-year old, one-story, masonry, single-family dwelling containing 1,188 square feet of living area, air conditioning, and a full, unfinished basement. The appellant argued both that the fair market value of the subject was not accurately reflected in its assessed value and that the subject property is inequitably assessed as the bases of the appeal.

In support of the market value argument, the appellant submitted descriptions and sales information on five properties suggested as comparable and located within the subject's neighborhood. These properties are described as one-story, masonry or frame and masonry single-family dwellings containing between 1,107 and 1,446 square feet of living area. Features include between one and two and one-half baths, a partial or full basement with three finished, and, for four properties, air conditioning. These properties sold between June 2008 and July 2009 for prices ranging from \$270,000 to \$335,000 or from \$206.52 to \$271.00 per square foot of living area.

In support of the equity argument, the appellant submitted descriptions and assessment information on eight properties suggested as comparable and located within five blocks of the subject. The properties are described as one-story, masonry, single-family dwellings. Features include between one and one-half and two and one-half baths, air conditioning, full basements with five finished, and, for four properties, one or two fireplaces. The properties range: in age from 48 to 54 years; in size from 1,511 to 1,777 square feet of living area; and in improvement assessments from \$19.96 to \$23.10 per square foot of building area. The appellant asserts that the subject property contains on one and one-half bath. 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 board disclosed the subject's final assessment of \$36,721 with an improvement assessment of \$30,721 or \$25.86 per square foot of living area. The subject's final assessment reflects a fair market value of \$382,510 or \$321.97 per square foot of living area when the Illinois Department of Revenue's 2008 three-year median level of assessment of 9.6% for Cook County Class 2 property is applied.

In addressing the appellant's argument, the board of review presented descriptions and assessment information on a total of four properties suggested as comparable with one property located on the subject's block. The properties are described as one-story, masonry, single-family dwellings. Features include one and one-half baths, air conditioning, and full basements with two finished. The properties range: in age from 49 to 53 years; in size from 1,242 to 1,288 square feet of living area; and in improvement assessment from \$24.50 to \$27.00 per square foot of living area. Comparable #3 sold in March 2006 for \$429,000 or \$333.07 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 appellant 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 PTAB finds the appellant has not met this burden.

The parties presented assessment data on a total of 12 equity comparables. The PTAB finds all the comparables similar to the subject size, age, design, construction, and/or location. The properties range: in age from 48 to 54 years; in size from 1,242

to 1,777 square feet of building area; and in improvement assessments from \$19.96 to \$27.00 per square foot of building area. In comparison, the subject's improvement assessment of \$25.86 per square foot of building area is within the range of comparables. After considering adjustments and the differences in the comparables when compared to the subject, the PTAB finds the subject's per square foot improvement assessment is supported and a reduction in the subject's assessment is not warranted.

The appellant also makes a market value argument. 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 (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 market value evidence presented, the PTAB concludes that this evidence indicates a reduction is warranted.

The parties presented sales information on six properties suggested as comparable. The PTAB finds all the comparables similar to the subject, but that the appellant's sales comparables are closer to the lien date and more reflective of the market value as of January 1, 2008. These five comparables are one-story, masonry or frame and masonry single-family dwellings. They sold from June 2008 to July 2009 for prices ranging from \$270,000 to \$335,000 or from \$206.52 to \$271.00 per square foot of living area. In comparison, the subject's assessment reflects a market value of \$382,510 or \$321.97 per square foot of living area which is above the range of these comparables. After considering adjustments and the differences in the comparables when compared to the subject, the PTAB finds the subject's per square foot improvement assessment does not support the subject's market value and a reduction in the subject's assessment is 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: November 30, 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.