



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

APPELLANT: Denis Owens
DOCKET NO.: 08-30791.001-R-1 through 08-30791.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Denis Owens, the appellant, by attorney Joanne Elliott, of Elliott & Associates, P.C. in Des Plaines; 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
08-30791.001-R-1	09-26-202-034-0000	14,757	115,871	\$ 130,628
08-30791.002-R-1	09-26-202-032-0000	4,912	0	\$ 4,912

Subject only to the State multiplier as applicable.

ANALYSIS

The subject has 16,325 square feet of land, which is improved with a 50 year old, multi-story, frame, single-family dwelling. The subject's improvement size is 3,235 square feet of living area, and its total assessment is \$169,441. The subject is located in Maine Township, Cook County.

The subject property is an owner occupied residence that was the subject matter of an appeal before the Property Tax Appeal Board (the "Board") in 2007 under docket number 2007-25199.001-R-1. In that appeal, the Board rendered a decision lowering the subject's assessment to \$135,540 based on the evidence submitted by the parties. In support of a reduction in the subject's assessment, the appellant, via counsel, submitted an appraisal to demonstrate that the subject is overvalued.

The Cook County Board of Review submitted its "Board of Review-Notes on Appeal," wherein the subject's total assessment of \$169,441 was disclosed. In support of the subject's assessment, the board of review submitted descriptive and assessment information for three properties suggested as comparable to the subject to demonstrate the subject was assessed uniformly.

At hearing, the attorney for the appellant, Melissa Whitley argued that the Board should ignore the Property Tax Appeal Board rules and not apply a rollover to this appeal, although the property was not recently sold. She was accompanied by Pamela L. Sonshine, the certified residential real estate appraiser who prepared the appraisal for this appeal. Ms. Sonshine provided testimony regarding the appraisal. Ms. Whitley further argued that the rollover should not apply because the property decreased in value for the 2008 year which is still within the tri-annual assessment period. The Administrative Law Judge reminded Ms. Whitley of the rule several times during the hearing.

After reviewing the record and considering the evidence, the Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

Section 16-185 of the Illinois Property Tax Code provides, in relevant part:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review.

35 ILCS 200/16-185. The Board takes judicial notice that it rendered a decision lowering the subject's assessment in tax year 2007, and that 2007 and 2008 are in the same general assessment period for Maine Township. The record indicates that the subject is an owner occupied dwelling. The record contains no evidence indicating that the subject sold in an arm's length transaction subsequent to the Board's 2007 decision, or that the Board's 2007 decision was reversed or modified upon review. For these reasons, the Board finds that a reduction is warranted, and that the subject's assessment shall be reduced to reflect the Board's 2007 decision, plus the application of an equalization factor, if any.

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.



Chairman



Member



Member



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: October 18, 2013



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.