



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

APPELLANT: Amy Maglio
DOCKET NO.: 09-20019.001-R-1
PARCEL NO.: 16-18-116-015-0000

The parties of record before the Property Tax Appeal Board are Amy Maglio, 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: \$ 1,642
IMPR.: \$23,590
TOTAL: \$25,232

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a 98 year old, two-story, frame dwelling with 1,064 square feet of living area. The subject includes one bath and a full unfinished basement. The appellant and the board or review's pleadings differ on the land size of the subject.

The appellant argues that the market value of the subject property is not accurately reflected in its assessed value. In support of this overvaluation argument, the appellant submitted a purchase contract for the subject and a settlement statement for the subject. Both of these documents state that the subject was purchased by the appellant in March 2006 for \$283,500. The pleadings further state that the sale was not between related parties, that the subject was advertised for sale on the open market for eight months, that the buyer did not assume the seller's mortgage, and that the parties were represented by real estate brokers at the closing.

The appellant also submitted descriptions of four properties suggested as comparable and located within 1,000 feet of the subject. The properties are described as two-story, frame dwellings. These comparables have from one to two baths. The comparables range in age from 86 to 100 years old, and in improvement size from 1,040 to 1,372 square feet of living area,

or \$17.78 to \$27.03 per square foot of living area. The subject's improvement assessment is \$25.08 per square foot of living area. The comparables have land sizes ranging from 2,304 to 4,375 square feet of land, or \$0.75 per square foot of land.

In support of the subject's land size, the appellant submitted a survey of the subject done by Michelle A. Laiss of Preferred Survey, Inc. This document states that Laiss is a State of Illinois licensed professional land surveyor. The survey is signed by Laiss and dated March 8, 2006. The survey shows that the land size of the subject is 22 feet wide and 99.48 feet deep. These measurements equate to 2,189 square feet of land, rounded. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$28,350 was disclosed. This assessment yields a market value of \$318,539 for the subject, using the Illinois Department of Revenue's 2009 three-year median level of assessment for class 2 property of 8.90%. This market value equates to \$299.38 per square foot of living area for the subject. The board of review states that the subject contains 2,227 square feet of land.

In support of the subject's assessment, the board of review submitted descriptions and assessment information for four properties located within two blocks of the subject. These properties are described as two-story, frame dwellings, ranging in age from 86 to 89 years old, and in size from 922 to 1,136 square feet of living area. The dwellings all have one bath. Three of the properties have a full unfinished basement, and the remaining dwelling has a slab. These properties have improvement assessments ranging from \$28.42 to \$29.38 per square foot of living area. These properties have land sizes ranging from 2,448 to 2,520 square feet of land, or \$0.75 per square foot of land. The board of review did not submit any sales information for these dwellings. However, the board did state on the grid sheet that the subject sold in March 2006 for \$283,500.

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 twenty properties, including the sale of the subject in March 2006 for \$283,500. No other information was given regarding these properties. 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. 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.

Initially, the Board finds that the best evidence of the subject's land size is the survey submitted by the appellant. This survey was done by a State of Illinois licensed professional land surveyor. The board of review did not submit any evidence to support its land size for the subject. Therefore, the Board finds that the subject's land size is 2,189 square feet of land. All eight comparables submitted by the parties had land assessments of \$0.75 per square foot of land, and, therefore, the Board finds that the subject's land value is \$0.75 per square foot. Applying this value to the subject's corrected land size results in a land assessment of \$1,642, rounded.

Next, the Board finds the best evidence of the subject's market value is the sale of the subject in March 2006 for \$283,500. The sale is within three years of the 2009 assessment date, and the subject's assessment reflects a market value greater than this purchase price.

Based on this record the Board finds that the subject property had a market value of \$283,500 for the 2009 assessment year. Since market value has been determined, the 2009 three-year median level of assessment for class 2 property as established by the Illinois Department of Revenue of 8.90% shall apply. In applying this level of assessment to the subject, the total assessed value is \$25,232 while the subject's current total assessed value is above this amount. Therefore, the Board finds that a reduction 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: 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.