FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Thomas Brewer
DOCKET NO.: 09-20049.001-R-1
PARCEL NO.: 11-29-308-002-0000

The parties of record before the Property Tax Appeal Board are Thomas Brewer, the appellant; 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:	$ 21,655
IMPR.:	$ 33,970
TOTAL:	$ 55,625

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of an 8,662 square foot parcel improved with a 90-year-old, three-story, single-family dwelling of frame construction containing 4,445 square feet of living area and located in Rogers Park Township, Cook County. Features of the residence include three full bathrooms, three half-baths, a full-unfinished basement and a two-car detached garage.

The appellant, through counsel, submitted evidence before the Property Tax Appeal Board claiming the subject's market value is not accurately reflected in its assessment. In support of this claim, the appellant submitted a uniform residential appraisal report prepared by John B. Murphy, a certified general real estate appraiser and Harry M. Fishman, a certified general real estate appraiser of Property Valuation Services of Chicago, Illinois. The appraisal disclosed that Murphy inspected the interior and exterior of the subject property. The appraisers utilized the sales comparison approach to estimate a market value of $625,000 for the subject as of January 1, 2009.

In the sales comparison approach to value, the appraisers analyzed the sales of three properties located within a distance of 15 blocks from the subject. The comparables consist of three-story, single-family dwellings of masonry or frame construction ranging from 91 to 121 years in age. The lots range in size from 4,125 to 8,200 square feet and the improvements range in size from 3,132 to 3,714 square feet of living area. The comparables sold between February 2009 and June 2009 for prices ranging from $495,000 to $630,000, or from $158.05 to $176.33 per square foot of living area, including land. After making adjustments, the appraiser concluded a value for the subject via the sales comparison approach of $625,000 as of January 1, 2009.

In the report, the appraisers disclosed that the subject was considered to be in overall average condition with the following signs of wear and tear evident: peeling paint, worn floors, water damage in ceiling and older mechanicals in need of updating. Based on the evidence submitted, the appellant requested an assessment reflective of a fair market value for the subject of $625,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of $76,520 was disclosed. The assessment reflects a total market value of $859,775 for the subject, when the 2009 Illinois Department of Revenue's three-year median level of assessments of 8.90% for Class 2 property, such as the subject, is applied. In support of the assessment the board submitted property characteristic printouts and descriptive data on four properties suggested as comparable to the subject. The suggested comparables are improved with two-story, single-family dwellings of masonry construction with the same neighborhood code as the subject. The improvements range in size from 3,320 to 4,366 square feet of living area and range in age from 93 to 100 years old. The comparables contain two and one-half or three and one-half bathrooms, a finished or unfinished basement and a two-car garage. Three comparables have one or two fireplaces. The improvement assessments range from $12.42 to $14.67 per square foot of living area. The subject's improvement assessment is $54,865 or $12.34 per square foot of living area. Based on the evidence presented, 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 the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved 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 arms-length sale of the subject property, recent sales of

comparable properties, or recent construction costs of the subject property. (86 Ill.Adm.Code§1910.65(c)). Having considered the evidence, the Board finds the appellant has satisfied this burden and a reduction is warranted.

The Property Tax Appeal Board finds the best evidence of market value in the record is the uniform residential appraisal report provided by the appellant. In addition, the Board finds that the board of review did not present any evidence or argument refuting the appellant's appraisal report. Moreover, the board of review's evidence does not address the appellant's market value argument. Thus, the Board finds the subject had a fair market value of $625,000 as of January 1, 2009. Since fair market value has been established, the 2009 Illinois Department of Revenue's three-year median level of assessments of 8.90% for Class 2 property shall apply and 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.

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 21, 2011

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.