



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

APPELLANT: James Kollross  
DOCKET NO.: 09-20057.001-R-1  
PARCEL NO.: 05-35-407-015-0000

The parties of record before the Property Tax Appeal Board are James Kollross, 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:** \$12,922  
**IMPR.:** \$60,503  
**TOTAL:** \$73,425

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of 8,912 square feet of land and is improved with an 80 year old, two-story, masonry dwelling with 3,581 square feet of living area. The subject includes three and one-half baths, a full unfinished basement, a fireplace, and a two-car garage.

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 February 2008 for \$825,000. The appellant also submitted an affidavit. The affiant is the appellant, and the document states that the sale of the subject was an arm's length transaction.

The appellant also submitted descriptions and sales information on three properties suggested as comparable and located within one mile of the subject. The properties are described as two-story, frame and masonry or stucco dwellings, which range in age from 93 to 99 years old, and in size from 2,964 to 3,196 square feet of living area. These comparables have from two and one-half to three and one-half baths, one or two fireplaces, and either a two-car or two and one-half-car garage. These

comparables sold from July 2009 to September 2009 for between \$618,500 to \$785,000, or \$208.67 to \$245.62 per square foot of living area.

Using the same three comparables described above, the appellant also argued that there was unequal treatment in the assessment process. The comparables have improvement assessments ranging from \$20.22 to \$26.53 per square foot of living area after correcting the mathematical mistakes on the appellant's grid sheet. The subject's improvement assessment is \$22.68 per square foot of living area. 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 \$94,139 was disclosed. This assessment yields a market value of \$1,057,742 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 \$295.38 per square foot of living area for the subject.

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, masonry dwellings, ranging in age from 77 or 94 years old, and in size from 2,970 to 4,067 square feet of living area. The dwellings have from two and one-half to four and one-half baths, and from one to three fireplaces. All of the comparables have a full basement, and two of the basements have a formal recreation room. Two of the properties have air conditioning, and three have a two-car garage. These properties have improvement assessments ranging from \$24.78 to \$26.58 per square foot of living area. The board of review did not submit any sales information for these dwellings.

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. No other information was given regarding these properties. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant submitted a letter from the Cook County Assessor's Office dated October 20, 2010. The letter states that the subject's 2010 assessed valuation has been reduced to \$82,499.

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.

The Board finds the best evidence of the subject's market value is the sale, with supporting documentation, of the subject in February 2008 for \$825,000. The sale is within one year 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 \$825,000 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 \$73,425 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.



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Chairman



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Member



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Member



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Member



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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



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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.