



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

APPELLANT: Sarah Ryczek
DOCKET NO.: 09-20291.001-R-1
PARCEL NO.: 10-13-319-002-0000

The parties of record before the Property Tax Appeal Board are Sarah Ryczek, the appellant, by attorney David C. Dunkin of Arnstein & Lehr in Chicago; 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: \$6,800
IMPR.: \$10,700
TOTAL: \$17,500

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Cook County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2009 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property is improved with a one-story single family dwelling of masonry construction with 1,072 square feet of living area. The dwelling is approximately 53 years old. Features of the home include a full basement.¹ The property has

¹ A copy of the listing sheet described the subject as having a recreation room in the basement.

a 8,500 square foot site and is located in Evanston, Evanston Township, Cook County. The subject is classified as a class 2-03 property under the Cook County Real Property Assessment Classification Ordinance (hereinafter "Ordinance").

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on March 27, 2009 for a price of \$175,000. The appellant indicated that the parties to the transaction were not related, the property was sold through the use of a Realtor, and the property had been advertised for sale in the Multiple Listing Service (MLS) for 137 days. The appellant also submitted a copy of the settlement statement disclosing the contract price of \$175,000 and a sales commission in the amount of \$10,500. The appellant also provided a copy of a page from the Cook County Recorder of Deeds website indicating the subject property transferred with a warranty deed that was recorded on April 10, 2009 and the price was \$175,000. A copy of the listing was also submitted by the appellant that indicated the transaction was a "short sale." Based on this evidence, the appellant requested the subject's assessment be reduced to \$17,500.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$32,635. The subject's assessment reflects a market value of \$326,350 using the Ordinance level of assessments for class 2-03 property of 10%.

In support of its contention of the correct assessment the board of review submitted an equity analysis using four comparables.

Conclusion of Law

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. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the purchase of the subject property in March 2009 for a price of \$175,000. The appellant provided evidence demonstrating the

sale had the elements of an arm's length transaction. The appellant completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, the property had been sold with the use of a Realtor, the property had been advertised in the Multiple Listing Service and the property had been on the market for 137 days. In further support of the transaction the appellant submitted a copy of the settlement statement and listing. The Board finds the purchase price is below the market value reflected by the assessment. The Board finds the board of review did not present any evidence to challenge the arm's length nature of the transaction or to refute the contention that the purchase price was reflective of market value. Furthermore, little weight was given to the board of review equity analysis because it did not address the appellant's overvaluation argument. Based on this record the Board finds a reduction in the subject's assessment commensurate with the appellant's request is appropriate.

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.

Ronald R. Crit

Chairman

K. L. Fan

Member

Richard A. Huff

Member

Mario M. Lino

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 21, 2014

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.