



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

APPELLANT: Saban Yuval
DOCKET NO.: 09-20702.001-R-1
PARCEL NO.: 16-18-118-011-0000

The parties of record before the Property Tax Appeal Board are Saban Yuval, the appellant(s); and the Cook County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change 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: \$ 6,412
IMPR.: \$45,217
TOTAL: \$51,629

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property has 8,550 square feet of land, which is improved with a 99 year old, two-story, frame and masonry dwelling containing 2,148 square feet of living area. The dwelling has two and one-half baths, and a full unfinished basement and two fireplaces. The appellant argued that there was unequal treatment in the assessment process, and that the subject was overvalued as the bases for this appeal.

In support of the equity argument, the appellant submitted information on four comparable properties described as two-story, masonry or frame and masonry dwellings that range in age from 79 to 100 years old, and in size from 1,946 to 2,128 square feet of living area. The dwellings have one and one-half to two baths. The dwellings all have an unfinished basement area, and either a one and one-half car or a two-car garage. The comparables have improvement assessments ranging from \$19.40 to \$20.32 per square foot of living area.

In support of the market value argument, the appellant submitted sales information for Comparables #1, #2, and #4 (described above). These properties sold from January 1989 to February 2004 for between \$165,000 and \$499,000, or from \$84.79 to \$234.71 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 final assessment of \$51,629 was disclosed. This assessed value yields a market value of \$580,101, or \$270.07 per square foot of living area, using the 2009 Illinois Department of Revenue three-year median level of assessment for class 2 property of 8.90%. In support of the subject's assessment, the board of review presented descriptions and assessment information on four comparable properties consisting of two-story, frame and masonry dwellings that range in age from 92 to 103 years old, and in size from 1,819 to 2,185 square feet of living area. All of the dwellings have two baths, and a full basement area. Three of the dwellings also have a garage, ranging from a one-car to a two-car garage. These properties have improvement assessments ranging from \$21.05 to \$23.09 per square foot of living area. The board of review did not submit any sales information for these properties. The subject's improvement assessment is \$21.05 per square foot of living area. 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.

The appellant contends unequal treatment in the subject's improvement assessment as one of the bases of the appeal. Taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). After an analysis of the assessment data, the Board finds the appellant has not met this burden.

The Board finds Comparables #2, #3, and #4 submitted by the appellant, and all of the comparables submitted by the board of review were most similar to the subject in location, size, style, exterior construction, features, and age. Due to their similarities to the subject, these comparables received the most weight in the Board's analysis. These comparables had improvement assessments that ranged from \$19.85 to \$23.09 per square foot of living area. The subject's improvement assessment of \$21.05 per square foot of living area is within the range established by the comparables. After considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's improvement assessment is equitable.

The appellant also argued that the subject was overvalued. 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 not warranted.

The appellant submitted three sales comparables in support of the market value argument. The sales took place from five to twenty years prior to the lien date for tax year 2009. The Board gave these sales comparables no weight because of the significant passage of time between the sales and the lien date for tax year 2009. Therefore, the Board finds that the appellant has not proven by a preponderance of the evidence that the subject is overvalued, and a reduction in the subject's assessment is not 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.

Ronald 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: May 18, 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.