



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

APPELLANT: Lee Harris  
DOCKET NO.: 09-21628.001-R-1  
PARCEL NO.: 14-07-421-023-0000

The parties of record before the Property Tax Appeal Board are Lee Harris, the appellant, by attorney Ellen G. Berkshire, of Verros, Lafakis & Berkshire, P.C. 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:** \$ 48,900  
**IMPR.:** \$ 179,937  
**TOTAL:** \$ 228,837

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 (the "Board") finds that it has jurisdiction over the parties and the subject matter of the appeal.

**Findings of Fact**

The subject consists of a three-story low-rise apartment building of masonry construction with 15,546 square feet of living area. The dwelling is 82 years old. It contains 5 two-bedroom units and 14 one-bedroom units. The property has an 8,150 square foot site, and is located in Lake View Township, Cook County. The subject is classified as a class 3-15 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$1,290,000 as of January 1, 2009. The appraiser developed the subject's market value through the income and sales comparison approaches to value.

Under the income approach, the appraisers indicated a value for the subject of \$1,155,000. The chart summarizing apartment rental data on page 38 of the appraisal lists the subject property as 3334 N Southport Avenue, Chicago, which is not the subject property's address.

Under the sales comparison approach, the appraisers analyzed the sales comparables based on sale price per unit and sale price per room, instead of per square foot of living area. The comparables sold from February 2008 through July 2009 for prices ranging from \$910,000 to \$1,395,000, or \$59.27 to \$93.50 per square foot, including land. The subject is valued slightly above this range at \$95.13 per square foot, including land.

The appraisers placed the most weight on the price per unit analysis and valued the subject at \$1,290,000, emphasizing their sales comparison approach methodology.

The board of review submitted its "Board of Review-Notes on Appeal" disclosing the total assessment for the subject of \$236,627. The subject's assessment reflects a market value of \$1,478,919, or \$95.13 per square foot of living area, including land, when applying the 2009 level of assessment for class 3 property of 16%. In support of its contention of the correct assessment, the board of review submitted information on five comparable sales.

In written rebuttal, the appellant discounted the board of review's sale comparables #1, #2, #3 and #5. Comparable #4 sold in July 2009 for \$1,395,000, or \$93.50 per square foot, including land. *This is the same comparable as the appraisers' comparable #5.*

#### **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 gives little weight to the appraisers' conclusion of value based on the sale price per unit analysis. Additionally, the income approach listed a different address for the subject property than its actual address. Analyzing the five sales comparables submitted by the appraiser, one of which was identical to the board of review's comparable #5, the Board finds these sales range in value from \$59.27 to \$93.50 per square foot, including land. The subject's market value of \$95.13 is slightly above this range. Therefore, after making adjustments for differences and similarities between the subject and the sales comparables, the Board finds that a reduction in assessment is warranted based on overvaluation.

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: August 22, 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.