



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

APPELLANT: Pedro Sanchez
DOCKET NO.: 09-22148.001-R-1
PARCEL NO.: 09-28-307-023-0000

The parties of record before the Property Tax Appeal Board are Pedro Sanchez, the appellant, by attorney Abid Sabeeh, of Law Office of Abid Sabeeh in Streamwood; 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: \$ 13,225
IMPR.: \$ 16,896
TOTAL: \$ 30,121

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a 51 year old, one-story, masonry, single-family dwelling. It contains 1,422 square feet of living area and is situated on a 23,000 square foot lot. Features include a full unfinished basement, a two-car garage, and two bathrooms.

The appellant raised two arguments: first, that there is unequal treatment in the assessment process; and second, that the subject's market value is not accurately reflected in its assessment as the bases of this appeal.

In support of the equity argument, the appellant submitted descriptive and assessment data regarding nine suggested comparables located on the subject property's block. The properties are improved with a frame, frame and masonry, or masonry single-family dwelling. They range: in age from 49 to 58 years; in size from 1,000 to 1,433 square feet of living area; and in improvement assessment from \$15.00 to \$23.24 per square

foot. The subject's improvement assessment is \$14.94 per square foot of living area.

As to the overvaluation argument, the appellant submitted two Comparative Market Analyses. The first one contains Multiple Listing Service printouts and a grid sheet for four suggested comparable properties. The properties are improved with a one-story, brick or frame, single-family dwelling with two baths. They range in size from 1,262 to 1,670 square feet of living area. These properties sold from May 2008 to December 2009 for prices that ranged from \$152,470 to \$340,000 or from \$120.82 to \$203.59 per square foot of living area, including land. Based upon this analysis, the appellant requested a reduction in the subject's assessment.

The second Comparative Market Analysis submitted by the appellant contains Multiple Listing Service printouts and a grid sheet for six suggested comparable properties. The properties are improved with a one-story, brick, single-family dwelling with one bath. They range in size from 1,000 to 1,200 square feet of living area. These properties sold from May 2008 to April 2010 for prices that ranged from \$175,000 to \$300,000 or from \$175.00 to \$266.67 per square foot of living area, including land. Based upon this analysis, the appellant requested a reduction in the subject's assessment.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's total assessment was \$34,470. This assessment reflects a total market value of \$387,303 or \$272.36 per square foot based upon the application of the Illinois Department of Revenue's three-year median level of assessment for tax year 2009 of 8.90% for class 2 property, as is the subject.

The board of review submitted descriptive and assessment data as well as photographs relating to four suggested comparables. They are all located within the subject property's neighborhood code with one on the subject property's street and another on the subject's block. The suggested comparables are improved with a one-story, masonry, single-family dwelling with a one-and-one-half or two-car garage. They range: in age from 47 to 55 years; in size from 1,332 to 1,573 square feet of living area; and in improvement assessment from \$15.80 to \$17.83 per square foot. The properties include a full unfinished basement. As a result of its analysis, the board requested confirmation of the subject's assessment.

After considering the arguments as well as reviewing the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

As to the appellant's market value issue, 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 arm's 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 presented, the Board finds that the appellant has met this burden and that a reduction is warranted.

The Board finds the sales comparables submitted by the appellant to be persuasive. These comparables were similar to the subject in style, improvement size and amenities. In analysis, the Board accorded most weight to these comparables. These comparables ranged in price from \$178.41 to \$238.18 per square foot of living area, including land. The subject's purported market value designated by the assessor's office at \$252.66 per square foot is above the range established by these sale comparables.

Therefore, the Board finds that the appellant has met its burden by a preponderance of the evidence and that the subject does warrant a reduction based upon the market data submitted into evidence. Since the Board has issued a decision based on market value, the Board will not address the equity argument.

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: April 20, 2012



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.