



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

APPELLANT: Nick Christy
DOCKET NO.: 09-22388.001-R-1
PARCEL NO.: 23-27-206-005-0000

The parties of record before the Property Tax Appeal Board are Nick Christy, the appellant, by attorney Brian P. Liston of the Law Offices of Liston & Tsantilis, 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: \$14,778
IMPR.: \$46,187
TOTAL: \$60,965**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property has a parcel of 59,112 square feet of land area that is improved with a two-story dwelling of masonry construction. The dwelling is four years old and has 5,136 square feet of living area with a full unfinished basement, central air conditioning, three fireplaces, and a three-car attached garage.¹ The subject property is classified as a class 2-09 residential property under the Cook County Real Property Assessment Classification Ordinance and is located in Palos Park, Palos Township, Cook County.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of the overvaluation argument, the appellant submitted an appraisal report in which a market value of \$685,000 or \$133.37

¹ The board of review claims the subject has 6,298 square feet of living area with a full finished basement. However, the board of review only provided the subject's property characteristic sheets to support these claims. The appraiser listed the subject's living area as 5,136 square feet. Additionally, the appraiser stated the subject property had a full unfinished basement. The appraiser provided a drawing of the subject dwelling to support the size claim but did not provide any calculations as to how he arrived at the subject's living area. Since the appraiser stated that he had inspected the interior of the subject property, the Board accepts the appraiser's claims as to the size and features of the subject dwelling.

per square foot of living area, land included, was estimated for the subject property as of January 1, 2008. The appraiser developed the sales comparison approach and the cost approach in order to estimate the market value of the subject property. Under the cost approach, the appraiser estimated that the subject property had a market value of \$703,200. Under the sales comparison approach, the appraiser considered three comparable properties that sold from May 2006 to January 2007 for prices that ranged from \$553,000 to \$609,000 or from \$106.31 to \$138.79 per square foot of living area, land included. The three comparable sale properties have lot sizes that range from 28,503 to 41,185 square feet of land area, and they are located from 0.81 to 2.20 miles from the subject property. The comparables are improved with two-story dwellings that are from two to thirty-eight years old and contain from 4,143 to 5,202 square feet of living area. One of the comparables has a crawl-space foundation, and the other two have full basements, one of which is at least partially finished. Each comparable has central air conditioning and a three-car garage.

After identifying differences between the comparable properties and the subject, the appraiser made adjustments to the sale prices. The largest adjustments were for differences in lot size, living area, foundation and basement finish. As a result, the adjusted sale prices of the comparable properties ranged from \$611,000 to \$690,825 or from \$117.45 to \$166.75 per square foot of living area, land included. On the basis of these three comparable sales, the appraiser concluded that the subject property had a market value of \$685,000 as of January 1, 2008.

The appellant's attorney requested that the subject's assessment should be calculated by applying the 10% median level of assessments for Class 2 residential property in Cook County to the estimate of market value contained in the appraisal report. Based on this record, counsel requested the subject's total assessment be reduced to \$68,500.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$97,370 was disclosed. The subject's assessment reflects a market value of \$1,094,045 or \$213.01 per square foot of living area, land included,² using the 2009 three-year median level of assessments for Class 2 property in Cook County of 8.90% as determined by the Illinois Department of Revenue. (86 Ill.Admin.Code 1910.50(c)(2)).

The board of review presented descriptions and assessment information on four equity properties and provided a sale price for one of these comparables. The comparable that sold is described as a one-story, masonry dwelling that is 51 years old and has 2,275 square feet of living area with a partial finished basement, central air conditioning, two fireplaces, and a two and

² This calculation was based on the subject having 5,136 square feet of living area.

one-half car garage. This property sold in July 2008 for \$500,000 or for \$219.78 per square foot of living area, land included. The board of review also provided a list of twenty properties that sold from 1991 through 2007 for prices that ranged from \$225,000 to \$1,198,279. This list included two prior sales of the subject property. The subject property sold in July 1994 for a price of \$235,500 and sold again in May 2000 for a price of \$300,000. Descriptive evidence for the other sale properties was not provided. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After reviewing the record and considering the evidence, the Board finds it has jurisdiction over the parties and the subject matter of the appeal. The Board further finds the evidence in the record supports a reduction in the subject's assessment.

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. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3rd Dist. 2002). Proof of market value may consist of an appraisal of the subject property, a recent sale of the subject property or comparable sales. (86 Ill.Admin.Code 1910.65(c)). After an analysis of the evidence in the record, the Board finds a reduction in the subject's assessment is warranted.

In this appeal, the Board finds that the board of review presented no substantive or descriptive market value evidence. The Board gives no weight to the equity evidence submitted by the board of review as it is not responsive to the appellant's appeal. The board of review did provide a list of twenty sale properties but descriptive evidence for these properties was not provided.

The Board finds the appellant's appraisal report is the best evidence of the subject's market value as of the January 1, 2009 assessment date. The appraiser estimated a market value of \$685,000 or \$133.37 per square foot of living area, land included, for the subject property as of January 1, 2008. The subject's assessment reflects a market value of \$1,094,045 or \$213.01 per square foot of living area, land included, using the 2009 three-year median level of assessments for Class 2 property in Cook County of 8.90% as determined by the Illinois Department of Revenue. (86 Ill.Admin.Code 1910.50(c)(2)). The subject's market value as reflected by its assessment is in excess of the market value estimate contained in the appraisal report.

The Board gives no weight to the equity evidence submitted by the board of review as it is not responsive to the appellant's appeal. The Board also gives no weight to the board of review's listing of sale properties. These sales lacked the descriptive evidence that would have helped to determine how similar they were to the subject property. The board of review did provide a

sale price for one of the equity comparables. This property sold in July 2008 for \$500,000. Although it sold more proximate in time to the assessment date at issue than the comparable sales used in the appraisal, the board of review's sale comparable is a one-story dwelling that is unlike the subject in design, age, and size. Since this property is not truly comparable to the subject property, the Board gives no weight to the market value evidence submitted by the board of review.

Based on this record the Board finds the subject property had a market value of \$685,000 as of January 1, 2009. Since market value has been determined the 2009 three year average median level of assessments for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 8.90% shall apply. (86 Ill.Admin.Code §1910.50(c)(2)).

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.

Donald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Marko M. Louie

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: September 20, 2013

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.