



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

APPELLANT: Steven Huy
DOCKET NO.: 09-23094.001-R-1
PARCEL NO.: 10-21-206-041-0000

The parties of record before the Property Tax Appeal Board are Steven Huy, 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: \$ 3,835
IMPR.: \$ 19,791
TOTAL: \$ 23,626

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a three-story, multi-family building of masonry construction containing 4,683 square feet of living area. The building is 31 years old. Features include two apartment units, central air conditioning, a slab foundation, and a two-car garage. The subject is located in Skokie, Niles Township, Cook County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted information on eight comparable sales described as three-story apartment buildings. On the grid analysis, the appellant did not provide the neighborhood code for each comparable sale; however, a map showing the location of the subject and the eight comparable sales was provided. The dwellings range in age from 47 to 91 years and contain from 3,967 to 5,205 square feet of living area. The comparables have from three to six apartment units. The comparables have sites ranging in size from 3,751 to 17,202 square feet of land area. Information regarding exterior construction and features was not provided. The comparables sold from February 2008 to October 2009 for prices ranging from \$299,000 to \$750,000 or from \$81,667 to \$160,000 per apartment unit. The average sale price per unit was calculated to be \$118,130 per unit. This calculation was applied to the subject's

two apartment units to arrive at a market value of \$236,260 for the subject property. The appellant requested that the subject's total assessment should be reduced to \$23,626 to reflect the 10% median level of assessment for Class 2 residential property in Cook County.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$59,550 was disclosed. The subject's assessment reflects a market value of \$669,101 or \$334,551 per apartment unit, when applying the 2009 three year average median level of assessments for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 8.9% as determined by the Illinois Department of Revenue. The board of review presented descriptions and assessment information on four equity properties but did not submit any substantive market value evidence. The board of review did provide a list of twenty sale properties with sold from 1990 through 2009 for prices ranging from \$109,470 to \$699,000. However, descriptive evidence for these 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 Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Board further finds a reduction in the subject's assessment is warranted.

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); 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 only evidence of the subject's market value was submitted by the appellant. The Board finds the appellant's eight sale comparables are generally similar to the subject in size and sold proximate in time to the assessment date at issue. Due to these similarities, the appellant's comparables received the most weight in the Board's analysis. The comparables sold from February 2008 to October 2009 for prices ranging from \$299,000 to \$750,000 or from \$81,667 to \$160,000 per apartment unit. The subject's assessment reflects a market value of \$669,101 or \$334,551 per apartment unit, which is above the range established by the comparable sales. The board of review did not submit any market value evidence to address or refute the evidence presented by the appellant. As a result, the Board finds the subject's improvement assessment is not equitable and a reduction in the subject's assessment commensurate with the appellant's request is 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.

Donald 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: July 19, 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.