



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

APPELLANT: Joan Janiczek  
DOCKET NO.: 09-23819.001-R-1  
PARCEL NO.: 31-24-314-002-0000

The parties of record before the Property Tax Appeal Board are Joan Janiczek, the appellant(s); 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:** \$2,772  
**IMPR:** \$1,856  
**TOTAL:** \$4,628

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a 9,240 square foot parcel of land improved with a 46-year old, one-story, frame and masonry, single-family dwelling containing 1,615 square feet of living area. The appellant argued that the market value of the subject property is not accurately reflected in its assessed value.

In support of this overvaluation argument the appellant submitted a copy of the multiple listing service printout for the subject property showing the property was listed on the market for 153 days, and a copy of the sales contract and the settlement statement indicating the subject was purchased for \$52,000 on October 16, 2009. Line 700 of the settlement statement lists a broker's commission fee.

In addition, the appellant submitted descriptions and sales information on five properties suggested as comparable. The properties are described as one-story, frame or frame and masonry, single-family dwellings. The properties range in age from 45 to 48 years and contain between 1,391 and 1,925 square feet of building area. The properties sold from February 2006 to

February 2010 for prices ranging from \$52,000 to \$113,200. Based on this evidence the appellant requests a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's assessment of \$12,414 was disclosed. This assessment reflects a market value of \$139,483 using the Illinois Department of Revenue's 2009 three year median level of assessment for class 2 property of 8.9%. In support of the subject's assessment, the board of review presented descriptions and assessment information on four properties suggested as comparable. The properties are described as one-story, frame and masonry, single-family dwellings. The properties range: in age from 47 to 48 years; in size from 1,646 to 1,755 square feet of living area; and in improvement assessments from \$6.02 to \$6.98 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant submitted a letter arguing that the board of review's evidence only shows that properties in the subject's area are over assessed. She also asserts that the subject's sale in 2010 is proof of its market value.

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.

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, 331Ill.App.3d 1038 (3<sup>rd</sup> Dist. 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2<sup>nd</sup> 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 PTAB concludes that the evidence indicates a reduction is warranted.

The PTAB finds the best evidence of the subject's market value is the sale of the subject in October 2010 for \$52,000. The appellant included copies of the multiple listing service printout and the settlement statement which supports the arm's length nature of this sale. In addition, the comparable sales support the subject's sale at market value.

Based on this record the Property Tax Appeal Board finds that the subject property had a market value of \$52,000 for the 2010 assessment year. Since market value has been determined, the 2010 three year median level of assessment if 8.9% for class 2 property as established by the Illinois Department of Revenue shall apply and a reduction 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: February 22, 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.