



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

APPELLANT: Isaac Carpenter
DOCKET NO.: 09-24437.001-R-1
PARCEL NO.: 31-13-400-154-0000

The parties of record before the Property Tax Appeal Board are Isaac Carpenter, 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: \$2,640
IMPR: \$4,035
TOTAL: \$6,675

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 16,963 square foot parcel of land improved with a 50-year old, one-story, frame, single-family dwelling containing 1,406 square feet of living area. The subject includes one and one-half baths, a unfinished basement, air conditioning, one fireplace, and a two car garage. 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 settlement statement stating that the subject sold for \$67,000.00 on March 30, 2010. The second page of the settlement statement itemizes broker fees. In addition, the appellant's petition asserts the subject was on the market for twelve months, listed on the multiple listing service, and was not sold to related parties. Based on this evidence, the appellant requested the subject's assessment be reduced to reflect the subject's purchase price.

In addition, the appellant submitted a copy of the appraisal that was prepared regarding the purchase of the property. The appellant submitted an appraisal undertaken by Edythe M. Kroll of Robert F. Jilek and Associates. The report indicates Edythe M. Kroll is a State of Illinois certified general appraiser. The appraiser indicated the subject has an estimated market value of \$75,000 as of March 2, 2010. The appraisal report utilized the

sales comparison approaches to value to estimate the market value for the subject property. The appraisal finds highest and best use in its present use.

The appraisal stated that the subject was improved with a 51-year old, frame, single-family dwelling containing 1,430 square feet of living area. The dwelling is in overall average condition.

Under the sales comparison approach, the appraiser analyzed the sale of six, single-family dwellings located within the subject's market. The properties contain between 1,358 and 1,956 square feet of living area. The comparables sold from September 2009 to December 2009 for prices ranging from \$87,550 to \$103,900 or from \$53.12 to \$68.31 per square foot of living area. The remaining two comparables have not sold and are active listings. Based on the similarities and differences of the comparables when compared to the subject, the appraiser estimated a value for the subject under the sales comparison approach was \$75,000. Based upon this data, the appellant requested a reduction in the subject's market value.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$15,287 was disclosed. This assessment reflects a market value of \$171,764 using the Illinois Department of Revenue's 2009 three-year median level of assessment for class 2 property of 8.90%. In support of the subject's assessment, the board of review submitted descriptions and assessment information for four properties located within the subject's neighborhood. These properties are described as one-story, frame, single-family dwellings with between one and one-half and two and one-half baths, air conditioning for two of the properties. The properties range: in age from 51 to 54 years old; in size from 1,582 to 1,671 square feet of living area; and in improvement assessments from \$7.08 to \$7.93 per square foot of living area. In addition, the board of review submitted raw sales data for twenty comparables that sold between 1994 to 2007 from \$135,000 to \$266,500. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant asserts in a letter that the subject property has a total of four rooms and the sales data submitted by the board of review are not recent comparables and therefore, not appropriate. In addition, the appellant submitted sales data for seven additional properties located within the subject's neighborhood. The Official rules of the Property Tax Appeal Board prohibit the submission of new evidence as rebuttal and, therefore, this evidence cannot be considered by the PTAB. 86 Ill.Admin.Code 1910.66

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, 331 Ill.App.3d 1038 (3d Dist. 2002; Winnbago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d (2d 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 Board concludes that the evidence indicates a reduction in the subject's assessment is warranted.

In determining the fair market value of the subject property, the Board finds that best evidence is the appellant's appraisal. The Board finds this appraisal to be persuasive because the appraiser personally inspected the interior and exterior of the subject property, and utilized market data to obtain sales comparables while providing sufficient detail regarding each sale in estimating the subject's market value.

Therefore, the Board finds that the subject property contained a market value of \$75,000 for the tax year 2009. Since the market value of the subject has been established, the median level of assessment as determined by the Illinois Department of Revenue's 2009 three year median for class 2, residential property of 8.90% will apply. In applying this level of assessment to the subject, the total assessed value is \$6,675 while the subject's current total assessed value is above this amount at \$15,287. Therefore, the Board finds that a reduction is warranted.

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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: April 20, 2012

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.