FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Alessandro Mantovani
DOCKET NO.: 09-24796.001-R-1
PARCEL NO.: 12-36-402-052-0000

The parties of record before the Property Tax Appeal Board are Alessandro Mantovani, the appellant, by attorney Christopher G. Walsh, Jr. 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:	$ 4,919
IMPR.:	$ 18,266
TOTAL:	$ 23,185

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of 5,788 square feet of land improved with a 58-year old, one and one-half story, masonry, single-family dwelling. The improvement contains 1,241 square feet of living area as well as one full bath, a full basement, and a one-car garage.

The appellant argued that the subject's market value is not accurately reflected in its assessment as the basis of this appeal.

As to the overvaluation argument, the appellant submitted data that the subject sold on January 20, 2009 for a price of $260,500. The appellant's pleadings stated that the sale was not a transfer between related parties; was advertised on the open market; the parties were represented in the sale transaction by real estate brokers; but that the property sold

in settlement of a foreclosure. In support of these assertions, the appellant submitted a copy of the subject's Illinois Real Estate Transfer Declaration (PTAX-203). Wherein the parties' disclosed that the subject was advertised for sale or sold using a real estate agent; would be the principal residence; and that the full actual consideration of the real estate was $260,500. In addition, the appellant provided an affidavit reflecting the aforementioned circumstances regarding the sale. 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 $30,374. This assessment reflected a total market value of $341,281 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.

In addition, the board of review submitted descriptive and assessment data relating to four suggested equity comparables. They are improved with a one and one-half story, masonry or frame and masonry, single-family dwelling with varying amenities. They range: in age from 56 to 63 years; in improvement size from 1,188 to 1,344 square feet of living area; and in improvement assessments from $18.59 to $21.41 per square foot. As a result of its analysis, the board requested confirmation of the subject's assessment.

After considering the argument 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.

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 appellants have met this burden and that a reduction is warranted.

The Board finds that the best evidence of the subject's market value is the recent sales data submitted by the appellant. The appellant's evidence reflects that the subject was purchased in January, 2009, for a market value of $260,500. Further, the Board finds that the board of review’s analysis failed to reflect any evidence to rebut the subject’s sale as not being reflective of the market.

Since the market value of the subject has been established, the Illinois Department of Revenue three-year median level of assessment for tax year 2009 regarding class 2, residential property of 8.90% shall apply. Therefore, the Board finds that 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.

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: March 21, 2014

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.