FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Ronald Klopack
DOCKET NO.: 09-25158.001-R-1
PARCEL NO.: 02-22-201-041-0000

The parties of record before the Property Tax Appeal Board are Ronald Klopack, the appellant; 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:	$ 2,752
IMPR.:	$ 9,263
TOTAL:	$ 12,015

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 5,794 square foot parcel of land improved with a 49-year old, two-story, masonry, single-family, townhome-style dwelling containing 1,070 square feet of living area. Amenities include one and one-half baths, two bedrooms and a full, unfinished basement. The appellant argued that the fair market value of the subject is not accurately reflected in its assessed value.

In support of the market value argument, the appellant submitted an appraisal authored by Anita Taylor. The report indicates Taylor holds the designation of a State of Illinois associate real estate appraiser. The appraiser personally inspected the interior and exterior of the subject and indicated the subject has an estimated market value of $135,000 as of January 1, 2009. The appraisal report utilized the sales comparison approach to value to estimate the market value for the subject property.

Under the sales comparison approach, the appraiser analyzed the sales of three properties located within three and one-half miles of the subject property. According to the appraiser, the search

for comparable sales was extended outside the immediate neighborhood due to the lack of similar sales within a mile of the subject. The comparables are all townhome-style, single-family dwellings with two bedrooms and one and one-half baths with either masonry, frame or frame and masonry exterior construction. The properties contain from 1,047 to 1,071 square feet of living area and sold from July 2008 to December 2008 for prices ranging from $145,000 to $164,500, or from $138.49 to $157.12 per square foot of living area, including land. The appraiser adjusted each of the comparables for pertinent factors. Based on the similarities and differences of the comparables when compared to the subject, the appraiser estimated a value for the subject of $135,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of $22,119 was disclosed. This assessment reflects a market value of $248,528 using the Illinois Department of Revenue's 2009 three year median level of assessment of 8.9% for Cook County Class 2 property. In support of the subject's assessment, the board of review presented descriptions and assessment information as well as photographs on a total of four properties suggested as comparable and located within the subject's neighborhood. The properties are described as one- or two-story, masonry, single-family, townhome-style dwellings with one and one-half to two and one-half baths, two or three bedrooms, and a crawl or full, unfinished basement. The properties range: in age from 7 to 49 years; in size from 1,075 to 1,615 square feet of living area; and in improvement assessment from $18.10 to $21.61 per square foot of living area. 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.

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 (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.Admin.Code 1910.65(c). Having considered the evidence presented, the PTAB concludes that the evidence indicates a reduction is warranted.

In determining the fair market value of the subject property, the PTAB finds the best evidence to be the appellant's appraisal. The appellant's appraiser utilized the sales comparison approach to value in determining the subject's market value.

The PTAB finds this appraisal to be persuasive for the appraiser: has experience in appraising; personally inspected the subject property and reviewed the property's history; and used similar properties in the sales comparison approach while providing sufficient detail regarding each sale as well as adjustments that were necessary.

The PTAB gives little weight to the board of review's comparables as they do not address the appellant's market value argument.

Therefore, the PTAB finds that the subject property had a market value of $135,000 for the 2009 assessment year. Since the market value of the subject has been established, the Illinois Department of Revenue's 2009 three year median level of assessment of 8.9% for Cook County Class 2 property will apply. In applying this level of assessment to the subject, the total assessed value is $12,015 while the subject's current total assessed value is above this amount. Therefore, the PTAB 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: April 20, 2012

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.