



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

APPELLANT: Hao Cheng Xu  
DOCKET NO.: 09-27176.001-R-1  
PARCEL NO.: 17-28-325-066-0000

The parties of record before the Property Tax Appeal Board are Hao Cheng Xu, 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:** \$ 12,500  
**IMPR:** \$ 19,718  
**TOTAL:** \$ 32,218

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a 2,500 square foot parcel of land improved with a 29-year old, two-story, masonry, single-family dwelling. The improvement contains 2,380 square feet of living area as well as three baths. The appellant argued that the market value of the subject property is not accurately reflected in the property's assessed valuation as the basis of this appeal.

The appellant's pleadings include recent sales data reflecting that the subject property is located in Chicago and that it sold on October 16, 2008 for \$362,000. The appellant enclosed a copy of the sales contract for the purchase of the subject property. Page #2 of the pleadings stated that the subject property's sale was not between related parties; that the parties were each represented by real estate brokers; that the subject property was advertised on the open market for approximately one year; and that the buyer did not assume the seller's mortgage. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$41,108 with an

improvement assessment of \$28,608 or \$152.10 per square foot of living area was disclosed. This assessment reflects a market value of \$365,861 or \$153.72 per square foot of living area 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 on a total of four properties suggested as comparables. The properties are described as two-story, masonry, and frame and masonry, single-family, dwellings with between seven and eight baths, and a partial or full basement. The properties range: in age from 22 to 31 years old, contain between 2,037 and 2,320 square feet of living area, and range in improvement assessment from \$12.88 to \$16.34 per square foot of living area. Sale information on suggested comparables #1, which is the subject property and #4 was presented. These properties sold between July 2007 to October 2008 for prices between \$362,000 to \$460,000. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After reviewing the record and considering the testimony, 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 (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 based on market value is warranted.

The Board finds that the best evidence of market value was the recent purchase price of the subject property. The unrebutted evidence demonstrated that the subject sold on October 1, 2008 for \$362,000. The Board further finds that the county failed to proffer any evidence indicating either that this sale was not an arm's length transaction or that there were sales comparables located within the subject's area which rebutted the validity of the subject's sale price.

Therefore, the Board finds that the subject property had a market value of \$362,000 for the 2009 assessment year. Since the market value of the subject has been established, the 2009 Department of Revenue median level of assessments for Cook County Class 2 property of 8.9% will apply. In applying this level of assessment to the subject, the total assessed value is \$32,218 while the subject's current total assessed value is above this amount at

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\$41,108. 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.

*Donald R. Cuit*

Chairman

*K. L. Fern*

Member

*Frank A. Huff*

Member

*Marko M. Louie*

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.