



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

APPELLANT: Daniel Jung
DOCKET NO.: 09-27178.001-R-1
PARCEL NO.: 04-10-115-014-0000

The parties of record before the Property Tax Appeal Board are Daniel Jung, 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: \$ 6,196
IMPR.: \$ 16,054
TOTAL: \$ 22,250

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of 9,180 square foot parcel of land improved with a one-story, frame and masonry, single-family dwelling. The appellant raised two arguments: that the size and age proffered by the county is inaccurate; and that the fair market value of the subject was not accurately reflected in its assessed value.

In support of the market value argument, the appellant submitted an appraisal undertaken by James J. Chung of Nomadic Appraisals. The report indicates Chung is a State of Illinois certified residential real estate appraiser. The appraiser indicated the subject has an estimated market value of \$250,000 as of September 4, 2010. The appraisal report utilized the three traditional approaches to value to estimate the market value for the subject property. The appraisal finds the subject's highest and best use is its present use.

In describing the subject property, the appraisal lists the subject as being 56 years old and containing 1,154 square feet of building area. The appraisal includes a drawing of the subject with the dimensions included.

Under the cost approach to value, the appraiser opined the value of the site value as \$100,000. The replacement cost new was utilized to determine a cost for the improvement at \$170,335, rounded. The appraisal depreciated the improvement for a value of \$127,751. The appraisal also included a cost for a garage at \$8,775. The land was added back in to establish a value under the cost approach of \$242,751.

In the income approach to value, the appraiser analyzed the subject's rents to estimate a potential gross income of \$249,600.

Under the sales comparison approach, the appraiser analyzed the sales of three, one-story, masonry or frame and masonry, single-family dwellings. The properties range: in age from 55 to 59 years; in baths from one to two; and in size from 1,105 to 1,185 square feet of living area. The comparables sold from December 2009 to August 2010 for prices ranging from \$250,000 to \$287,500 or from \$225.23 to \$260.18 per square foot of living area. The appraiser adjusted each of the comparables for pertinent factors. Based on the similarities and difference of the comparables when compared to the subject, the appraiser estimated a value for the subject under the sales comparison approach of \$216.64 per square foot of living area or \$250,000. The appraiser also submitted listing information on a one-story dwelling of masonry construction that contains 1,501 square feet of living area. It is 55 years old and has two baths. It is being offered for sale at \$192.54 per square foot of living area and has been on the market for a period of 204 days.

In reconciling the three approaches to value, the appraisal arrived at a final estimate of value for the subject as of September 4, 2010 of \$250,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$33,145 disclosed. The subject's final assessment reflects a fair market value of \$372,416 when the Illinois Department of Revenue 2009 three-year median level of assessment of 8.90% for Class 2 properties is applied. The board of review lists the subject as containing 1,139 square feet of living area and an age of 53 years old. In support of the subject's assessment, the board of review presented descriptions and assessment information on four suggested comparables located on the subject's block. The properties consist of one-story, frame and masonry, single-family dwellings with one bath and one-car garage. The properties range: in age from 52 to 53 years; in size from 1,110 to 1,287 square feet of living area; and in improvement assessments from \$23.80 to \$26.63 per square foot of living area.

In addition, the board of review submitted sales data on comparable #2. It sold on March 1, 2008 for a price of \$355,000.

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.

As to the subject's size, the PTAB finds that the appellant submitted sufficient evidence to establish the subject's size at 1,154 square feet of living area and age at 56 years old. The appraisal indicates the subject was personally inspected and measured by including the diagram of the building. The board of review was unable to provide any evidence to support their position on the subject's size. Therefore, the PTAB finds the subject contains 1,154 square feet of living area and is 56 years old.

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 three traditional approaches 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 adjustments that were necessary. The PTAB gives little weight to the board of review's sales comparable #2 as the information provided was unadjusted raw sale data.

Therefore, the PTAB finds the subject had a market value of \$250,000 for the 2009 assessment year. Since the market value this parcel has been established, the Illinois Department of Revenues 2006 three-year median level of assessment of 8.90% for Class 2 will apply. In applying this level of assessment to the subject, the total assessed value is \$22,250 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.

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: October 19, 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.