



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

APPELLANT: Harry Betley  
DOCKET NO.: 09-28303.001-R-1 through 09-28303.002-R-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Harry Betley, the appellant, by attorney Ellen G. Berkshire of Verros, Lafakis & Berkshire, P.C. 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:

<b>DOCKET NO</b>	<b>PARCEL NUMBER</b>	<b>LAND</b>	<b>IMPRVMT</b>	<b>TOTAL</b>
09-28303.001-R-1	17-08-224-005-0000	6,364	32,349	\$38,713
09-28303.002-R-1	17-08-224-006-0000	5,219	31,068	\$36,287

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Cook County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2009 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

**Findings of Fact**

The subject property consists of two parcels (PINs) each improved with a mixed use commercial and residential building. PIN 17-08-224-005-0000 consists of 1,872 square feet of land area improved with a three-story building of masonry construction with 5,772 square feet of building area. The building is approximately 128 years old. PIN 17-08-224-006-0000

consists of 1,535 square feet of land area improved with a three-story building of masonry construction with 4,430 square feet of building area. The building is approximately 128 years old. Each PIN is located in Chicago, West Chicago Township, Cook County and is classified as a class 2-12 property under the Cook County Real Property Assessment Classification Ordinance (hereinafter "Ordinance").

The appellant, through counsel, contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information disclosing the subject property was purchased in July 2008 for a price of \$750,000 and information on three comparable sales. Limited information was provided about the subject's sale. The appellant's counsel indicated the parties to the transaction were not related and also submitted a copy of a settlement statement associated with the sale. The comparable sales ranged in size from 10,000 to 11,357 square feet of building area and in age from 22 to 125 years old. The sales occurred from October 2006 to April 2010 for prices ranging from \$600,000 to \$700,000 or from \$56.35 to \$70.00 per square foot of building area, including land. Based on this information the appellant requested the subject's combined assessment be reduced to a total of \$75,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for PIN 17-08-224-005-0000 of \$55,114 and for PIN 17-08-224-006-0000 of \$52,039. The subject's combined total assessments reflect a market value of \$1,071,530 or \$105.03 per square foot of combined building area, including land, when applying the Ordinance level of assessment for class 2-12 property of 10%.

In support of its contention of the correct assessments the board of review submitted an equity analysis for each PIN using four equity comparables for each property. The board of review also submitted a list of 20 sales of properties with the same classification code and neighborhood code as the subject property.

#### **Conclusion of Law**

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale,

comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the sale of the subject property and the appellant's comparable sales. The evidence in the record disclosed the subject property was purchased in July 2008 for a price of \$750,000 or \$73.51 per square foot of combined building area, including land. The comparables provided by the appellant sold for prices ranging from \$600,000 to \$700,000 or from \$56.35 to \$70.00 per square foot of building area, including land. The subject's assessment reflects a market value of \$105.03 per square foot of combined building area, including land, which is above the range established by the comparable sales in this record and the subject's purchase price. Little weight was given to the board of review equity analysis provided for each PIN because each analysis did not address the appellant's overvaluation argument. Furthermore, little weight was given the board of review's list of twenty sales due to the lack of descriptive data which precludes any meaningful comparative analysis and the fact that the transactions did not occur proximate in time to the assessment date at issue. Based on this evidence the Board finds a reduction in the subject's assessment is justified.

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: December 19, 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.