



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

APPELLANT: Frank & Barbara Oswald
DOCKET NO.: 09-29738.001-R-1
PARCEL NO.: 24-30-123-004-0000

The parties of record before the Property Tax Appeal Board are Frank & Barbara Oswald, 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: \$ 6,120
IMPR.: \$15,980
TOTAL: \$22,100

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a 1,623 square foot, 53 year old, one-story, frame and masonry, single-family dwelling situated on a 14,400 square foot lot. Features of the dwelling include air conditioning, one fireplace, and a two car garage. 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.

In support of the market value argument, the appellant submitted four suggested comparable properties located within .37 miles from the subject property. The suggested comparables are described as one-story, frame, or frame and masonry, single-family dwellings that range in age from 50 to 59 years old and range in size from 1,143 to 1,703 square feet of living area. Features include a two-car garage, one fireplace for one property, and air conditioning for one property. These properties sold from October 2009 to February 2010 for prices ranging from \$125,000 to \$236,000 or \$109.36 to \$153.54 per square foot of living area. In support of this data, the appellant submitted a copy of a Google search reflecting sales in the subject property's area. 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 assessment of \$28,728 was disclosed. The assessment of the subject property reflects a market value of \$322,786 or \$198.88 per square foot of living area including land based on the Illinois Department of Revenue's three-year median level of assessment for tax year 2009 for class 2 property of 8.90%. In support of the subject's assessment, the board of review presented descriptions and assessment information for four suggested comparable properties located in the subject property's neighborhood. The suggested comparables consist of one-story, frame and masonry, single-family dwellings that range in size from 1,415 to 1,768 square feet of living area and range in age from 43 to 58 years old. Features include one fireplace, central air conditioning for one property, and a two-car garage for three properties. These properties have improvement assessments that range from \$14.04 to \$15.53 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.

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, 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.Admin.Code 1910.65(c). After an analysis of the data, the PTAB finds the appellant has met this burden.

The appellant submitted a total of four suggested sales comparables. The board of review did not submit sales comparables. The PTAB finds all of the appellant's suggested sales comparables are similar to the subject property. These properties sold from October 2009 to February 2010 for prices ranging from \$125,000 to \$236,000 or \$109.36 to \$153.54 per square foot of living area. In comparison, the subject property's assessment reflects a market value of \$198.88 per square foot of improvements, including land. Therefore, the Board finds the subject's assessed valuation is not supported and a reduction is warranted.

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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.