FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Hattie Snider
DOCKET NO.: 09-30007.001-R-1
PARCEL NO.: 13-25-208-014-0000

The parties of record before the Property Tax Appeal Board are Hattie Snider, the appellant, by attorney Timothy C. Jacobs of Gary H. Smith PC 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:

LAND:	$7,357
IMPR.:	$9,553
TOTAL:	$16,910

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story, multi-family dwelling of frame construction. The dwelling is approximately 108 years old and contains approximately 1,630 square feet of living area.[1] Features include two apartment units, a full basement that is partially finished, and a two-car garage. The property has a 2,725 square foot site and is located in Chicago, West Chicago Township, Cook County.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted an appraisal estimating the subject property had a market value of $190,000 or $116.56 per square foot of living area, land included, as of March 23, 2010. The appraisal was prepared by Chatri Burasinsanga, a State of Illinois certified real estate appraiser. In

[1] Parties differed on size and building use. The board of review lists the subject as a single-family dwelling. Given the record, the appraiser's data is accepted as having better support.

estimating the market value of the subject property, the appraiser developed the cost, income, and sales comparison approaches to value.

Under the cost approach, the appraiser estimated the subject had a site value of $45,000. The appraiser estimated the replacement cost new of the improvements to be $189,290. The appraiser estimated depreciation to be $47,323 resulting in a depreciated improvement value of $141,967. The appraiser also estimated the site improvements had a value of $6,000. Adding the various components, the appraiser estimated the subject property had an indicated value of $192,967 under the cost approach.

Under the income approach, the appraiser identified the subject's gross monthly rent as $1,800 for the subject's two apartment units. The appraiser applied a gross rent multiplier of 105 to the subject's gross monthly rent to arrive at an indicated value of $189,000 under the income approach.

Under the sales comparison approach, the appraiser provided information on three comparable sales and two active listings. The properties are described as "two-flat" dwellings. The dwellings have frame or masonry exterior construction. The dwellings range in age from 99 to 122 years and contain from 1,500 to 1,913 square feet of living area. Each comparable has two apartment units and a two-car garage. Three comparables have full finished basements, and two have concrete slab foundations. Two comparables have central air conditioning. The comparables have sites that range in size from 2,760 to 4,762 square feet of land area. The three comparable sales sold in December 2009 or January 2010 for prices ranging from $190,000 to $205,000 or from $102.03 to $126.67 per square foot of living area, including land. The two properties that had not yet sold were listed at $183,000 and $199,900 or for $106.03 and $104.50 per square foot of living area, land included, respectively. After making adjustments to the comparables for differences from the subject, the appraiser estimated the comparables had adjusted prices ranging from $177,900 to $206,500 or from $93.00 to $137.67 per square foot of living area, including land. Based on this data, the appraiser estimated the subject property had an indicated value of $190,000 under the sales comparison approach.

In reconciling the three approaches to value, the appraiser gave most weight to the sales comparison approach to value and estimated the subject property had a market value of $190,000 as

of March 23, 2010. Based on this evidence, the appellant's attorney requested that subject's assessment be calculated by applying the 10% ordinance level of assessments for Class 2 residential property in Cook County to the estimate of market value contained in the appraisal report. Based on this record, counsel requested the subject's total assessment be reduced to $19,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of $28,583 was disclosed. The subject's assessment reflects a market value of $321,157 or $197.03 per square foot of living area, including land, when applying the 2009 three year average median level of assessments for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 8.90% as determined by the Illinois Department of Revenue.

In support of the subject's assessment, the board of review submitted information on four suggested equity comparables that did not address the subject's market value argument. The board of review also presented a two-page list of forty properties that sold from October 1990 to August 2006 for prices that ranged from $31,300 to $460,000. Descriptive data for these sale properties was not provided. 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.

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. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3rd Dist. 2002); 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 that the board of review presented no substantive or descriptive market value evidence. The Board

gives no weight to the equity evidence submitted by the board of review as it is not responsive to the appellant's appeal. The board of review provided a list of forty sale properties but no descriptive data for these properties was given. As a result, no weight has been given to this evidence.

The Board finds the appellant's appraisal report is the best evidence of the subject's market value as of the January 1, 2009 assessment date. The appraiser estimated a market value of $190,000 or $116.56 per square foot of living area, land included, for the subject property as of March 23, 2010. The subject’s assessment reflects a market value of $321,157 or $197.03 per square foot of living area, land included, using the 2009 three year median level of assessments for Class 2 property in Cook County of 8.90% as determined by the Illinois Department of Revenue. The subject's market value as reflected by its assessment is in excess of the market value estimate contained in the appraisal report.

Based on this record, the Board finds the subject property had a market value of $190,000 as of the January 1, 2009 assessment date. Since market value has been determined, the 2009 three year average median level of assessments for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 8.90% shall apply. (86 Ill.Admin.Code §1910.50(c)(2)).

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: March 21, 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.