



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

APPELLANT: Geary Depue
DOCKET NO.: 09-30897.001-R-1
PARCEL NO.: 30-17-108-053-0000

The parties of record before the Property Tax Appeal Board are Geary Depue, the appellant(s); 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: \$1,825
IMPR: \$6,352
TOTAL: \$8,177

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 6,086 square feet of land improved with a 115-year old, one-story, frame, multi-family dwelling with two baths, a full and unfinished basement, air conditioning, and a one and one-half 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 the appeal.

In support of the market value argument, the appellant submitted an appraisal undertaken by Peter Babic of R & R Appraisals. The report indicates Peter Babic is a State of Illinois certified general appraiser. The appraiser indicated the subject has an estimated market value of \$15,000 as of February 28, 2010. The appraisal report utilized the sales comparison approaches to value to estimate the market value for the subject property. The appraisal report included interior and exterior photographs of the subject's improvement and comparables, location map, and a diagram of the subject's floor plan. The appraisal finds highest and best use in its present use.

The appraisal stated that the subject was improved with a 116-year old, frame, one-story, single-family dwelling containing 1,954 square feet of living area. The dwelling is in overall average condition.

Under the sales comparison approach, the appraiser analyzed the sale of three, two-story, frame or masonry dwellings located within the subject's market. The properties contain between 2,012 and 2,242 square feet of living area. The comparables sold from November 2009 to December 2009 for prices ranging from \$14,000 to \$41,000 or from \$6.24 to \$20.38 per square foot of living area. Based on the similarities and differences of the comparables when compared to the subject, the appraiser estimated a value for the subject under the sales comparison approach was \$15,000. Based upon this data, the appellant requested a reduction in the subject's market value.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment was \$13,177 for tax year 2009. The subject's assessment reflects a market value of \$148,056 using the Illinois Department of Revenues three-year median level of assessment for class 2 of 8.90%. The board of review asserts the subject contains 1,924 square feet of living area without further information. In support of subject's assessment, the board of review presented descriptions and assessment information on four suggested comparables located within the subject's neighborhood. The properties consist of one-story, frame dwellings with between two and two and one-half baths, a full basement, and no air conditioning. The properties range: in age from 85 to 116 years old; in size from 1,560 to 2,020 square feet of living area; and in improvement assessment from \$6.00 to \$7.73 per square foot of living area. In addition, the board of review submitted sales data for one of the comparables. The property sold in January 2007 for \$83,000 or 53.21 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 (3d Dist. 2002; Winnbago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d (2d 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 Board concludes that the evidence indicates a reduction in the subject's assessment is warranted.

In determining the fair market value of the subject property, the Board finds that best evidence to be the appellant's appraisal. The Board finds this appraisal to be persuasive because the appraiser personally inspected the subject property and utilized market data to obtain sales comparables while providing sufficient detail regarding each sale, as well as appropriate

adjustments where necessary. Based on the foregoing analysis, the Board finds a reduction in the subject's assessment to reflect the appellant's requested amount is warranted for the 2009 assessment.

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: May 18, 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.