



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

APPELLANT: Clybourn P & A, LLC  
DOCKET NO.: 09-31159.001-R-1  
PARCEL NO.: 14-32-423-028-0000

The parties of record before the Property Tax Appeal Board are Clybourn P & A, LLC, the appellant, by attorney Mitchell L. Klein of Schiller Klein PC in Chicago; and the Cook County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change 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: \$18,000  
IMPR.: \$76,047  
TOTAL: \$94,047**

Subject only to the State multiplier as applicable.

**ANALYSIS**

**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 a three-story, multi-family dwelling of masonry construction. The dwelling is approximately 117 years old and has 3,261 square feet of living area. Features include three apartment units, a full unfinished basement, and a fireplace. The property has a 2,400 square foot site and is located in Chicago, North Chicago Township, Cook County. The subject is classified as a class 2-11 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$560,000 as of January 1, 2009. Using the sales comparison approach to value, the appraiser provided information on five comparable

sales. These comparables were improved with two or three-story, multi-family dwellings of frame, masonry, or frame and masonry construction. The dwellings ranged in age from 82 to 129 years and contained from 2,154 to 4,140 square feet of living area. The appraiser did not provide the neighborhood codes for the comparables. The five comparables sold from April 2007 to February 2010 for prices that ranged from \$342,000 to \$550,000 or from \$108.70 to \$143.22 per square foot of living area, land included. The appraiser concluded that the subject property had an estimated value under the sales comparison approach of \$560,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$94,047. The subject's assessment reflects a market value of \$1,056,708 or \$324.04 per square foot of living area, land included, when using the 2009 three year average median level of assessment 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 its contention of the correct assessment, the board of review submitted information on four comparables sales. These properties are improved with two or three-story, multi-family dwellings of masonry construction. The dwellings range in age from 115 to 131 years and contain from 3,250 to 3,672 square feet of living area. The comparables have the same assigned neighborhood code as the subject. These properties sold from February 2008 to August 2009 for prices that ranged from \$1,200,000 to \$1,950,000 or from \$326.80 to \$600.00 per square foot of living area, land included.

#### **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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the best evidence of market value to be the board of review's comparable sales. These properties were more similar to the subject than the comparable sales relied on by the appellant's appraiser. The board of review comparables were located in the same neighborhood as the subject and appear to be located closer to the subject when comparing their parcel numbers. Furthermore, board of review comparable #4 was most similar to the subject in building area. Moreover, board of review comparables #1 and #4 sold in January 2009 and November 2008 for \$1,365,000 and \$1,950,000 or for \$377.59 and \$600.00 per square foot of living area, land included, respectively. These

sale dates were more proximate to the January 1, 2009 assessment date than the comparable sales used in the appellant's appraisal report. The Board finds that the subject's assessment reflects a market value of \$1,056,708 or \$324.04 per square foot of living area, land included, that is supported by the best evidence of market value in the record. Based on this evidence, the Board finds a reduction in the subject's assessment is not 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.

*Donald R. Cuit*

Chairman

*Tracy A. Huff*

Member

*Mark Morris*

Member

*[Signature]*

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: May 21, 2014

*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.