



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

APPELLANT: Robert Stack
DOCKET NO.: 09-31436.001-R-1
PARCEL NO.: 06-27-312-016-0000

The parties of record before the Property Tax Appeal Board are Robert Stack, the appellant, by attorney Dennis M. Nolan, of Dennis M. Nolan, P.C. in Bartlett; 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: \$12,145
IMPR.: \$30,327
TOTAL: \$42,472

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 is seven years old, and consists of a two-story dwelling of frame construction containing 4,019 square feet of living area. Features of the home include a partial basement, central air conditioning, one fireplace and a 2.5-car garage. The subject property has a 20,242 square foot site, is located in Hanover Township, Cook County and is classified as a Class 2 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation and assessment inequity as the bases of the appeal.

In support of the overvaluation argument, the appellant submitted information on 11 suggested sales comparables. These sales comparables were contained in a print-out from website zillow.com and were presented as evidence in Exhibit #1. Each comparable disclosed an address, date of sale and sale price. Some but not all disclosed building and site sizes, and numbers of bedrooms and bathrooms. These comparables sold from March 2009 through February 2010, ranged from 944 to 3,537 square feet of living area, and for prices that ranged from \$77,000 to \$420,000, or from \$81.57 to \$118.74 per square feet of living area including land. No further evidence was submitted.

In support of the assessment inequity argument, the appellant submitted information on 39 suggested equity comparables in Exhibit #2. These comparables were contained in a print-out from the Assessor's website. They provided total assessments, PINs, addresses, city, neighborhood and class codes without further evidence.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$58,622. The subject property has an improvement assessment of \$46,477 or \$11.56 per square foot of living area. The subject's assessment reflects a market value of \$658,674, or \$163.89 per square foot of living area including land, when applying the 2009 three-year 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 suggested equity comparables, one of which also contained information as a sale comparable. This sale occurred in September 2007 for the price of \$553,500, or \$129.96 per square foot of living area including land.

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 based on an overvaluation argument is warranted.

The Board finds the best evidence of market value to be appellant's comparable sales #1, #2 and #3, and board of review

comparable sale #1. These comparables sold for prices ranging from \$81.57 to \$118.74 per square foot of living area, including land. The subject's assessment reflects a market value of \$163.89 per square foot of living area, including land, which is above the range established by the best comparable sales in this record. Based on this evidence, the Board finds a reduction in the subject's assessment is justified. The Board further finds that once this reduction is applied, the subject is equitably assessed.

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

Tracy A. Huff

Member

Marko M. Louis

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: February 20, 2015

A. Proctor

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.