



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

APPELLANT: Jeffrey Y. Lee
DOCKET NO.: 09-32119.001-R-1
PARCEL NO.: 04-34-305-012-0000

The parties of record before the Property Tax Appeal Board are Jeffrey Y. Lee, the appellant(s), by attorney David C. Dunkin, of Arnstein & Lehr 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: \$ 7,014
IMPR.: \$ 84,545
TOTAL: \$ 91,559

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 (the "Board") finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject consists of a two-story dwelling of masonry construction with 3,786 square feet of living area. The dwelling is ten years old. Features of the home include three and two-half baths, a full unfinished basement, central air conditioning, a fireplace, and a two-car garage. The property has a 10,020 square foot site, and is located in Northfield Township, Cook County. The subject is classified as a class

2-78 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 information on three comparable sales. The evidence includes a Cook County report, for each suggested comparable, that lists the recent transactions for each of the three comparables.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$91,559. The subject's assessment reflects a market value of \$1,028,753, or \$271.73 per square foot of living area, including land, when applying 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 equity comparables. The board of review also submitted sales information for three of the four equity comparables.

At hearing, the appellant's attorney stated that the report he submitted regarding Comparable #1, indicates there was a judicial sale of the property in June 2007 and a subsequent sale in May 2008 for \$725,000. The appellant's attorney also stated that appellant's Comparable #2 is 62 years old while the subject is 10 years old. The appellant's attorney stated that his records indicated Comparable #3 sold for \$615,000 in March 2007, but noted the board of review had different information.

The board of review's representative stated that the board of review's sale comparables supported the subject's assessment. The board representative stated that board of review Comparable #1 sold for a higher sale price than indicated on the grid sheet. The appellant's attorney objected to the submission of new information. The hearing officer sustained the objection.

Additionally, the board of review's representative stated that appellant's Comparable #3 sold for a higher sale price than indicated on the appellant's grid sheet. The appellant's attorney objected to the submission of new information. The hearing officer sustained the objection.

Lastly, the appellant's attorney stated that the board of review's Comparables #3 and #4 are located several miles from the subject.

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 that appellant's Comparable #1 and the board of review's Comparable #2 were similar to the subject. As there are only two similar comparables, the board finds there is no range of sales comparables with which to compare the subject. The Board notes that the two comparables ranged from \$217.91 to \$335.23 per square foot of living area including land. The subject's assessment reflects a market value of \$271.73 per square foot of living area, including land and is within the range of the comparables. Based on this record, the Board finds the appellant did not demonstrate by a preponderance of the evidence that the subject was overvalued, and 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.

Ronald R. Crit

Chairman

K. L. Fan

Member

Richard A. Huff

Member

Mario M. Lino

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: August 22, 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.