



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

APPELLANT: Roberto & Sisa Tan
DOCKET NO.: 09-35231.001-R-1
PARCEL NO.: 15-13-311-037-0000

The parties of record before the Property Tax Appeal Board are Roberto & Sisa Tan, the appellants; 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: \$903
IMPR.: \$12,002
TOTAL: \$12,905

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of 1,903 square foot lot improved with a 1,334 square foot, 45 year old, masonry, attached, two-story, single-family dwelling. The appellant argued unequal treatment in the assessment process and that the fair market value of the subject was not accurately reflected in its assessed value.

In support of the equity claim, the appellant submitted three suggested comparable properties. The properties are described as two-story, masonry, single-family dwellings located on the subject's Sidwell block. They are 46 years old, contain 1,334 square feet of living area, and range in improvement assessment from \$14.63 to \$15.24 per square foot of living area. The subject's improvement assessment is \$14.63 per square foot of living area.

In support of the market value argument, the appellant submitted an appraisal by Andy Doti of A Doti Appraisals. The report indicated Doti is a Certified Residential Real Estate Appraiser. The appraiser indicated the subject has an estimated market value of \$145,000 as of June 12, 2009. The appraisal report utilized the sales comparison approach and the cost approach to value to

estimate the market value for the subject property. The appraisal finds the subject's highest and best use is its current use.

Under the cost approach to value, the appraiser used vacant land sales to opine that the site value was \$20,000. The effective age/total economic life method was used to determine a cost for the improvement at \$166,083. The appraisal depreciated the improvement by \$39,887 for a value of \$126,196. The appraisal also included a cost of \$1,000 for the "as-is" value of site improvements. The land was added back in to establish a value under the cost approach of \$147,200, rounded.

Under the sales comparison approach, the appraisers analyzed the sales of five single-family dwellings located within the subject's market. The properties range in size from 1,025 to 1,572 square feet of living area. They have recording dates that range from June 2005 to March 2009 for prices that ranged from \$142,000 to \$220,000 or from \$106.45 to \$195.12 per square foot of living area, including land. The appraiser adjusted each of the comparables for pertinent factors. Based on the similarities and difference of the comparables when compared to the subject, the appraiser estimated a value for the subject under the sales comparison approach of \$108.69 per square foot of building area, including land or \$145,000 rounded.

In reconciling the three approaches to value, the appraisal arrived at a final estimate of value for the subject as of June 12, 2009 of \$145,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$20,425 was disclosed. The subject's final assessment reflects a fair market value of \$229,494 using the Illinois Department of Revenue's 2009 three year median level of assessment for class 2 property of 8.90%. In support of the subject's assessment, the board of review presented descriptions and assessment information regarding four suggested comparables located on the subject's block. The properties consist of two-story, masonry, 45 year old, 1,334 square foot, single-family dwellings that range in improvement assessment from \$14.96 to \$15.05 per square feet of living area.

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.

As to the appellant's equity claim, taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). After an analysis of the assessment data, the PTAB finds the appellant has not met this burden.

The parties submitted a total of seven suggested comparable properties. The Board finds all of the comparables are similar the subject in size, location, and amenities. They are described as two-story, masonry, single-family homes that contain 1,334 square feet of living area and are located on the subject's block. They range in improvement assessment from \$14.63 to \$15.24 per square foot of living area. The subject's improvement assessment of \$14.63 per square foot of living area is within the range of these comparables. Therefore, after considering adjustments and the differences in the comparables when compared to the subject, the Board finds the subject's per square foot improvement assessment is supported and a reduction in the improvement assessment is not warranted.

As to the appellant's overvaluation claim, 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 (3rd Dist. 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2nd 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 PTAB concludes that the evidence indicates a reduction is warranted.

In determining the fair market value of the subject property, the PTAB finds the best evidence to be the appellant's appraisal. The appellant's appraiser utilized the sales comparison approach and the cost approach to value in determining the subject's market value. The PTAB finds this appraisal to be persuasive for the appraiser: has experience in appraising; personally inspected the subject property and reviewed the property's history; and used similar properties in the sales comparison approach while providing sufficient detail regarding each sale as well as adjustments that were necessary.

Therefore, the PTAB finds the subject had a market value of \$145,000 for the 2009 assessment year. The Illinois Department of Revenue's 2009 three year median level of assessment for class 2 property of 8.90% will apply. In applying this level of assessment to the subject, the total assessed value is \$12,905 while the subject's current total assessed value is above this amount. Therefore, the PTAB finds that a reduction is warranted.

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

J. R.

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: September 21, 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.