



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

APPELLANT: Leah Jones & Linda Hennis
DOCKET NO.: 10-20163.001-R-1
PARCEL NO.: 16-05-112-020-0000

The parties of record before the Property Tax Appeal Board are Leah Jones & Linda Hennis, 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: \$ 4,075
IMPR.: \$ 15,146
TOTAL: \$ 19,221

Subject only to the State multiplier as applicable.

ANALYSIS

The subject has 4,795 square feet of land, which is improved with an 85 year old, one and one-half-story, masonry, single-family dwelling.

In support of the market value argument, the appellant submitted a residential appraisal report for the subject property with an effective date of May 12, 2010. The appraiser estimated a fair market value for the subject of \$215,000 based on the sales comparison approach to value.

The appellant also submitted descriptive and sales information for two sales comparables. The third comparable was a pending sale. The comparables are described as one and one-half-story, masonry, single-family dwellings. The appraiser failed to include the comparables' size and age information. The comparables sold between March 2010 and April 2010 for \$245,000 to \$335,000.

Further, the appellant submitted comparable sales information related to seven sales. These sales occurred from December 2010 to November 2011 for sales prices of \$94,500 to \$187,500. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The appellant also submitted evidence showing that the subject sold in June 2010 for \$175,000. This evidence included a settlement statement and a copy of the quit claim deed. Furthermore, the appellant's pleadings state that the sale was between related parties, that the subject was not advertised for sale on the open market, that the parties did not use a real estate broker, and that the sale was not pursuant to a foreclosure or a short sale. Copies of email correspondence further indicates that there was a personal relationship between the parties.

The Cook County Board of Review submitted its "Board of Review-Notes on Appeal," wherein the subject's total assessment of \$29,909 was disclosed. In support of the subject's assessment, the board of review submitted descriptive and assessment information for four properties suggested as comparable to the subject. The comparables are described as one-story or one and one-half-story, masonry, frame and masonry, or stucco, single-family dwellings. Additionally, the comparables range: in age from 85 to 90 years; in size from 1,030 to 1,688 square feet of living area; and in improvement assessments from \$19.31 to \$26.22 per square foot of living area. The comparables also have several amenities. The board of review's grid sheet also states that the subject sold in July 2010 for \$175,000, or \$103.31 per square foot of living area, including land; Comparable #1 sold in April 2010 for \$299,000, or \$233.96 per square foot of living area, including land; Comparable #2 sold in November 2010 for \$380,000, or \$225.12 per square foot of living area, including land; Comparable #3 sold in December 2010 for \$237,000, or \$230.10 per square foot of living area, including land; and that Comparable #4 sold in July 2010 for \$356,000, or \$248.60 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant argues square footage, the property description, and its condition and provided photos of the attic area to show that he does not consider it to be living space. At hearing, the appellant argued his previously submitted evidence.

After reviewing the record, considering the evidence, and hearing the testimony, the Property Tax Appeal Board (the "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. Cook Cnty. Bd. of Review v. Prop. Tax Appeal Bd., 339 Ill. App. 3d 529, 545 (1st Dist. 2002); National City Bank of Michigan/Illinois v. Prop. Tax Appeal Bd., 331 Ill. App. 3d 1038, 1042 (3d Dist. 2002) (citing Winnebago Cnty. Bd. of Review v. Prop. Tax Appeal Bd., 313 Ill. App. 3d 179 (2d Dist. 2000)); 86 Ill. Admin. Code § 1910.63(e). 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. Calumet Transfer, LLC v. Prop. Tax Appeal Bd., 401 Ill. App. 3d 652, 655 (1st Dist. 2010); 86 Ill. Admin. Code § 1910.65(c). Having considered the evidence presented, the Board finds that the evidence indicates a reduction is not warranted.

However, the Board finds that the best evidence to determine market value of the subject property was the appraisal. Therefore, the subject property had a market value of \$215,000 for the 2010 assessment year. Since the market value of the subject has been established, the 2010 Department of Revenue median level of assessments for Cook County Class 2 property of 8.94% will apply. In applying this level of assessment to the subject, the total assessed value is \$19,221 while the subject's current total assessed value is above this amount at \$29,909. Therefore, the Board 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

Marko M. Louie

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: June 21, 2013

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.