



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

APPELLANT: Maurice Nunnally
DOCKET NO.: 10-23735.001-R-1
PARCEL NO.: 31-15-103-003-0000

The parties of record before the Property Tax Appeal Board are Maurice Nunnally, the appellant(s); 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: \$ 3,799
IMPR: \$ 27,365
TOTAL: \$ 31,164**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject has 10,133 square feet of land, which is improved with a seven year old, two-story, frame and masonry, single-family dwelling. The subject's improvement size is 3,301 square feet of living area, and its total assessment is \$31,164. This assessment yields a fair market value of \$348,591, or \$105.60 per square foot of living area (including land), after applying the 2010 Illinois Department of Revenue three year median level of assessment for Class 2 properties of 8.94%. The appellant argued that the fair market value of the subject property was not accurately reflected in its assessed value as the basis of this appeal.

In support of the market value argument, the appellant submitted descriptive and sales information for four sales comparables. The comparables are described as two-story, frame and masonry, single-family dwellings. Additionally, the comparables are from three to seven years old, and have from 3,301 to 3,788 square feet of living area. The comparables sold between April 2009 and January 2011 for \$204,600 to \$272,902, or \$54.81 to \$82.67 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The Cook County Board of Review submitted its Board of Review-Notes on Appeal, wherein the subject's total assessment of \$31,164 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 two-story, frame and masonry, single-family dwellings. Additionally, the comparables range: in age from three to seven years; in size from 2,912 to 3,788 square feet of living area; and in improvement assessments from \$6.48 to \$10.36 per square foot of living area. The comparables also have several amenities. The board of review's grid sheet also states that Comparable #1 sold in February 2008 for \$528,000, or \$139.39 per square foot of living area, including land; Comparable #2 sold in August 2008 for \$300,000, or \$103.02 per square foot of living area, including land; Comparable #3 sold in May 2008 for \$452,000, or \$119.32 per square foot of living area, including land; and that Comparable #4 sold in March 2008 for \$375,000, or \$101.35 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 submitted four sales comparables in addition to those submitted in the appellant's case-in-chief. However, these additional comparables cannot be considered, as their submission is in contravention of the Official Property Tax Appeal Board Rules. "Rebuttal evidence shall not consist of new evidence such as an appraisal or *newly discovered comparable properties*. A party to the appeal shall be precluded from submitting its own case in chief in the guise of rebuttal evidence." 86 Ill. Admin Code § 1910.66(c) (emphasis added).

After reviewing the record and considering the evidence, 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.

The Board finds that all of the comparables submitted by both parties were similar to the subject in location, size, style, exterior construction, features, and/or age. The comparables had

a price per square foot that ranged from \$54.08 to \$139.39, including land. The subject's price per square foot of \$105.60 is within the range established by the most similar comparables. Therefore, after considering adjustments and differences in both parties' comparables when compared to the subject, the Board finds that the subject is not overvalued, and a reduction in the subject's assessment is not 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.

Ronald R. Cuit

Chairman

Frank J. Huff

Member

Mario Morris

Member

JR

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 24, 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.