FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Douglas Dubois
DOCKET NO.: 10-27736.001-C-1
PARCEL NO.: 15-14-135-012-0000

The parties of record before the Property Tax Appeal Board are Douglas Dubois, the appellant, by attorney George N. Reveliotis of Reveliotis Law, P.C., Chicago; 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:	$5,854
IMPR.:	$42,896
TOTAL:	$48,750

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a three-story 25-unit masonry constructed mixed use commercial and apartment building with a total building area of 21,800 square feet. The building has four commercial units and 21 apartments. The building was constructed in 1929. The building is located on a 10,008 square foot site in Maywood, Proviso Township, Cook County. The property is classified as a class 3-18 property under the Cook County Real Property Assessment Classification Ordinance (hereinafter "Ordinance") with a level of assessment for the 2010 tax year of 13% of market value.

The appellant is contesting the assessment of the subject property for the 2010 tax year based on overvaluation. In support of this overvaluation argument the appellant submitted a narrative appraisal estimating the subject property had a market value of $375,000 as of January 1, 2009. In estimating the

market value the appraiser developed the income capitalization approach to value and the sales comparison approach to value. The appellant also submitted a copy of the final decision issued by the Cook County Board of Review establishing a total assessment for the subject property of $70,754, which reflects a market value of approximately $544,262 using the Ordinance level of assessment for class 3-18 property of 13%. Based on this evidence the appellant requested the subject's assessment be reduced to $48,750 to reflect the appraised value.

The board of review did not submit its "Board of Review Notes on Appeal" or any evidence in support of its assessed valuation of the subject property.

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. The Board further finds the evidence in the record supports a reduction in the subject's assessment.

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. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3rd Dist. 2002); 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 is warranted.

The Board finds the only evidence of market value in this record to be the appraisal submitted by the appellant estimating the subject property had a market value of $375,000 as of January 1, 2009. The Board finds the subject's assessment reflects a market value greater than the appraised value presented by the appellant. The board of review did not submit any evidence in support of its assessment of the subject property or to refute the appellant's argument as required by section 1910.40(a) of the rules of the Property Tax Appeal Board and is found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board. (86 Ill.Admin.Code §1910.40(a) & §1910.69(a)). Based on this record the Property Tax Appeal Board finds the subject property had a market value of $375,000 as of January 1, 2010. Since market value has been determined

the 13% Ordinance level of assessment for class 3-18 property shall apply. (86 Ill.Admin.Code 1910.50(c)(3)).

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.

Chairman

Member

Member

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: March 21, 2014

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.