



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

APPELLANT: John Sorenson
DOCKET NO.: 10-27856.001-R-1
PARCEL NO.: 06-20-408-005-0000

The parties of record before the Property Tax Appeal Board are John Sorenson, the appellant(s); 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: \$885
IMPR.: \$21,465
TOTAL: \$22,350

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a parcel of land improved with an approximately four-year old, two-story, frame, single-family dwelling. The appellant argued that the market value of the subject property is not accurately reflected in its assessed value and that the subject is inequitably assessed as the bases of the appeal.

The appellant first contends that the county has incorrectly listed the subject's land size and improvement size. To support this, the appellant submitted a copy of the plat of survey and a brochure for the subject's home model showing the interior sizes of the subject's rooms.

In support of the arguments, the appellant the appellant submitted descriptions, assessment, and sale information on three properties suggested as comparable and located within one-quarter mile of the subject. The properties are described as two-story, frame, single-family dwellings. Features include two and one-half or three and one-half baths, air conditioning, one or two fireplaces, and a full basement. The properties range in age from

four to five years; in size from 2,386 to 3,158 square feet of living area; and in improvement assessments from \$11.81 to \$14.25 per square foot of living area. The properties sold from February to May 2010 for prices ranging from \$237,000 to \$252,000 or from \$75.21 to \$105.62 per square feet of living area, including land. The appellant also included a Zillow.com printout for seven properties located within Elgin and a zestimate for the subject, an "Elgin market trends printout" for 2009 through 2011, and color photographs of the subject and the suggested comparables.

The appellant included a letter asserting that the county has incorrectly listed the subject's size and that market conditions in Elgin have declined from 2009 to 2010. The appellant included a copy of the settlement statement for the subject's sale in 2006 to show that properties are selling for less in 2010 than what he purchased his home for in 2006. He asserts you can still purchase a newly constructed home within his neighborhood and that this reduces the value of the subject. He also argues that the land and improvement allocations are not reasonable and the land should be worth more and the improvement worth less based on the 2009 assessment. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's total assessment of \$30,730 was disclosed. The subject's final assessment reflects a fair market value of \$343,736 using the Illinois Department of Revenue's 2010 three year median level of assessment for class 2 property of 8.94%. The board of review lists the subject as containing 1,916 square feet of living area without further explanation; this reflects an improvement assessment of \$15.58 per square foot of living area.

In addition, the board of review submitted detailed descriptive, sales and/or assessment data on four suggested comparables located in neighboring towns. These properties are described as two-story, frame, single-family dwellings. Features include two or two and one-half baths, air conditioning, partial or full basements, and, for two properties, one or two fireplaces. The properties range: in age from 4 to 26 years; in size from 1,529 to 1,980 square feet of living area; and in improvement assessment from \$9.92 to \$15.99 per square foot of living area. These properties sold from March 2009 to October 2010 for prices ranging from \$252,500 to \$327,000 or \$165.14 to \$171.69 per square foot of living area. Based upon this evidence, the board requested confirmation of the subject's assessment.

After considering the evidence and reviewing the record, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

As to the subject's sizes, the PTAB finds the appellant submitted sufficient evidence to show the county has incorrectly listed the subject's land size. The plat of survey shows the subject's lot is 8,623 square feet. The PTAB finds the appellant submitted insufficient evidence to show the county incorrectly listed the

subject's improvement size. The plat of survey does not show the subject's size as 1,874 square feet of living area based on exterior measurements and the plan brochure submitted by the appellant lists only interior square footage of the main rooms of the subject. The PTAB finds the board of review's size more closely reflects the exterior measurements of the improvement and, therefore, finds the subject contains 1,916 square feet of living area which reflects and improvement assessment of \$15.58 per square foot of living area and a market value for the subject based on the assessment of \$179.40 per square foot of living area, including land.

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, 331Ill.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 based on market value is warranted.

The PTAB gives little weight to the Zillow.com printout and zestimate for the subject as these documents do not provide any descriptive information on the listed properties or supporting evidence on how the "zestimate" was arrived at. The PTAB also gives little weight to the "Elgin market trends" printout; this document shows a declining Elgin market, but does not establish a market value for the subject. The PTAB will, however, look to the suggested sale comparables submitted by the parties.

The parties presented descriptive and sales information on a total of seven suggested comparables. The PTAB finds the appellant's comparables similar to the subject in location, but somewhat larger than the subject in size. These properties sold from February to May 2010 for prices ranging from \$237,000 to \$252,000 or from \$75.21 to \$105.62 per square feet of living area, including land. In comparison, the subject property's assessment reflects a value of \$179.40 per square foot of living area, including land, which is above the range established by the comparables. The PTAB gives less weight to the board of review's comparables as they are located in other towns. Therefore, after considering adjustments and the differences in the comparables when compared to the subject, the PTAB finds the subject's market value is not supported and a reduction in the improvement assessment 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

Mario Morris

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 23, 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.