



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

APPELLANT: Michelle Tisdall
DOCKET NO.: 10-28722.001-R-1
PARCEL NO.: 20-12-113-024-0000

The parties of record before the Property Tax Appeal Board are Michelle Tisdall, the appellant, by attorney Christopher G. Walsh, Jr. of Chicago, 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: \$17,820
IMPR.: \$55,147
TOTAL: \$72,967

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Cook County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2010 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property consists of a two-story dwelling of masonry construction with 4,489 square feet of living area. The dwelling is approximately 106 years old. Features of the home include a full unfinished basement, central air conditioning and one fireplace. The property has a 4,950 square foot site and is located in Chicago, Hyde Park Township, Cook County. The

subject is classified as a class 2-06 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on December 2, 2009 for a price of \$451,000 or \$91.11 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's assessment be reduced to \$45,100.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$72,967. The subject's assessment reflects a market value of \$729,670 or \$147.41 per square foot of living area, land included, when using the Cook County Real Property Assessment Classification Ordinance level of assessments for class 2 property of 10%.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales. The comparables were improved with two-story single family dwellings of masonry construction that ranged in size from 4,268 to 4,808 square feet of living area. The dwellings ranged in age from 87 to 116 years old. The comparables sold from February 2007 to August 2009 for prices ranging from \$710,000 to \$1,850,000 or from \$158.98 to \$384.78 per square foot of living area, including land.

Conclusion of Law

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. 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the best evidence of market value in the record to be the comparable sales #1 through #3 submitted by the board of review. These comparables were similar to the subject in location, style, construction, features and age. The comparables sold from September 2008 to August 2009 for prices ranging from \$1,185,000 to \$1,850,000 or from \$275.39 to \$384.78

per square foot of living area, including land. The subject's assessment reflects a market value of \$729,670 or \$147.41 per square foot of living area, including land, which is below the range established by the best comparable sales in this record. The Board gave less weight to the subject's sale due to the fact the appellant did not establish the purchase had the elements of an arm's length transaction that was reflective of fair cash value. Although the appellant submitted a copy of the PTAX-203 Illinois Real Estate Transfer Declaration which indicates the property was advertised there was no showing how the property was advertised and how long the property was exposed on the open market. The transfer declaration also indicated the transaction was a "contract sale" with no explanation of the contract terms. Furthermore, the price paid for the subject property was significantly below the price of those sales provided by the board of review found to be the best comparables, which calls into question whether the sale was an arm's length transaction reflective of fair cash value. Based on this record the Board finds a reduction in the subject's assessment is not justified.

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

K. L. F...

Member

Richard A. ...

Member

Mark ...

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: February 20, 2015

A. ...

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.