



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

APPELLANT: Jeffery Albrecht
DOCKET NO.: 10-30282.001-R-1
PARCEL NO.: 13-24-317-015-0000

The parties of record before the Property Tax Appeal Board are Jeffery Albrecht, the appellant, 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: \$7,970
IMPR.: \$15,030
TOTAL: \$23,000

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story apartment building with 2,550 square feet of building area. The subject is of frame construction and is approximately 113 years old. Features included two apartments and a full unfinished basement. The property has a 3,321 square foot site and is located in Chicago, Jefferson Township, Cook County. The property is classified as a class 2-11 apartment building under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends in part the market value of the subject property is not accurately reflected in its assessed valuation. In support of this overvaluation argument the appellant submitted information disclosing the subject property was purchased in February 2010 for a price of \$120,000. The appellant indicated the parties to the transaction were not related, the property was purchased through a Realtor and the property had been advertised on the open market in the multiple

listing service. The appellant stated in his written narrative the property was purchased as a foreclosure from a bank and due to the fact the sale was compulsory the price cannot be solely relied upon to determine market value. In further support of the overvaluation argument the appellant submitted an appraisal estimating the subject property had a market value of \$283,000 as of January 26, 2010, subject to needed repairs on the building in the amount of \$53,238.20. The appellant submitted a copy of the list of repairs that needed to be made on the subject building.

The appellant also marked assessment inequity as an alternative basis of the appeal. In support of this argument the appellant submitted information on four equity comparables that had improvement assessments ranging from \$12,601 to \$21,464 or from \$5.39 to \$13.42 per square foot of living area. The subject has an improvement assessment of \$28,739 or \$11.27 per square foot of living area. Each of the comparables had a land assessment of \$2.40 per square foot of land area. The subject has a land assessment of \$2.40 per square foot of land area.

The appellant submitted a copy of the final decision of the Cook County Board of Review disclosing a final total assessment for the subject property of \$36,709. The subject's assessment reflects a market value of \$367,090 using the Cook County Real Property Assessment Classification Ordinance level of assessment for class 2-11 property of 10%.

The board of review did not timely 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 in part 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). Proof of the market value of the subject property may consist of an appraisal of the subject property as of the assessment date at issue. (86 Ill.Admin.Code 1910.65(c)(1)). The Board finds the appellant

met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value in the record was submitted by the appellant which included an appraisal estimating the subject property had a market value of \$283,000 as of January 26, 2010, subject to needed repairs on the building of approximately \$53,000, as well as the February 2010 purchase of the subject property out of foreclosure in the amount of \$120,000. Both the appraised value and the purchase price are below the market value reflected by the subject's assessment. The board of review did not timely 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) and §1910.69(a)). Based on this record the Property Tax Appeal Board finds a reduction in the subject's assessment is justified based on overvaluation.

Alternatively, the appellant argued assessment inequity as a basis of the appeal. Taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessments by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989); 86 Ill.Admin.Code 1910.63(e). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data and considering the reduction being granted based on overvaluation, the Board finds a further reduction based on assessment inequity 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.



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: October 24, 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.