



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

APPELLANT: Deanna Akmakjian
DOCKET NO.: 10-30777.001-R-1
PARCEL NO.: 02-02-400-013-0000

The parties of record before the Property Tax Appeal Board are Deanna Akmakjian, the appellant(s), by attorney Dennis W. Hetler, of Dennis W. Hetler & Associates PC in 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: \$ 16,995
IMPR.: \$ 850
TOTAL: \$ 17,845

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 2009 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 one story dwelling of frame construction with 856 square feet of living area. The dwelling was constructed in 1948. Features of the home include a two and

one-half car garage. The subject property suffered damage from a burst pipe. The subject is gutted and approximately 60% complete. The property has a 42,384 square foot site and is located in Palatine Township, Cook County. The property is a class 2-03 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal that utilized the cost approach and the sales approaches to value. Using the cost approach to value, the appraiser opined that the subject's land value was \$255,000 and that the value of the improvements was \$20,000 as of April 29, 2010.

Using the sales approach to value, the appraiser estimated three different values for the subject property. First, the subject property has an "as is" value of \$146,000 as of April 29, 2010. Second, the appraiser indicates that prior to a burst pipe in the subject March 2009 the value of the subject was \$186,000. Third, the appraiser opines that once the repair work is completed in a professional manner, the value of the subject ranges from \$200,000 to \$210,000. The appraisal does not indicate a value of the subject property on January 1, 2010.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$17,845. The subject's assessment reflects a market value of \$200,506 or \$234.24 per square foot of living area, including land, when applying the 2009 three year average median level of assessments for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 8.90% as determined by the Illinois Department of Revenue. The Board notes that the subject's improvement assessment is only \$850, which reflects a market value of \$9,550 when applying the 2009 three year average median level of assessments for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 8.90%. In addition, the subject's land assessment of 16,995 reflects a value of \$190,955 when applying the 2009 three year average median level of assessments for class 2 property of 8.90%.

In support of its contention of the correct assessment the board of review submitted four comparables sales.

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.

In the case of Long Grove Manor v. Property Tax Appeal Board, 301 Ill.App.3d 654, the court held that an assessor may value any partially completed improvement to the extent that it adds value to the property.

The appellant's appraisal does not opine a value for the subject property as of January 1, 2010. In addition, the subject property is undergoing rehabilitation and is only 60% complete. As such, the Board finds that the best evidence of the subject's market value is the appraisal's cost approach to value.

The appellant's appraisal indicates, using the cost approach, that the "as is" value of the subject improvements is \$20,000 as of April 29, 2010. This amount is above the subject's current improvement value. In addition, the appellant's appraisal indicates the subject's land value is \$200,000, which reflects a market value above the subject's current land value. Therefore, the Board finds that the appellant has not met his burden of proving by a preponderance of the evidence that the subject is overvalued. Based on this evidence 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.

Chairman

K. L. Fenn

Member

Mark Morris

Member

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: May 22, 2015

A. Portal

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.