



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

APPELLANT: Paul Egan
DOCKET NO.: 10-34012.001-R-1
PARCEL NO.: 14-31-123-039-0000

The parties of record before the Property Tax Appeal Board are Paul Egan, the appellant(s); 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: \$5,685
IMPR.: \$49,362
TOTAL: \$55,047

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of 1,197 square feet of land improved with a 11-year old, three-story, masonry, attached, single-family dwelling. The appellant argues that the market value of the subject property is not accurately reflected in the property's assessed valuation and that the subject is inequitably assessed as the bases of this appeal.

In support of the market value argument, the appellant submitted a summary appraisal report of the property located next to the subject. This appraisal included a sales comparison approach to value. The appraisal never mentioned the subject property or estimated a value for the subject property.

In the sales comparison approach, the appraiser analyzed the sales of three properties and the appellant included four additional sales. The properties are described as two or three-story, masonry, attached, single-family dwellings with various amenities. The properties range in age from 10 to 18 years and in size from 1,176 to 1,847 square feet of living area. They sold from November 2005 to March 2011 for prices ranging from \$334,000 to \$525,000 or \$207.20 to \$373.30 per square foot of living area, including land.

In support of the equity argument, the appellant included the assessment information on the four sales comparables not listed in the appraisal. These three-story, masonry, attached, single-family dwellings have improvement assessments ranging from \$22.42 to \$28.93 per square foot of living area. Based on this evidence, the appellant requests a reduction in the subject's assessment.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's total assessment was \$55,047 with an improvement assessment of \$49,362 or \$29.04 per square foot of living area. The subject's total assessment reflects a market value of \$615,738 or \$362.19 per square foot of living area using the Illinois Department of Revenue median level of assessment for class 2, residential property of 8.94% for tax year 2010.

To support the subject's assessment, the board of review submitted detailed descriptive and assessment data on four suggested equity comparables. These properties are described as three-story, masonry, attached, single-family dwellings with various amenities. The properties range: in age from 7 to 14 years; in size from 1,376 to 1,535 square feet of living area; and in improvement assessments from \$31.84 to \$34.48 per square foot of living area. Based upon this evidence, the board requested confirmation of the subject's assessment.

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

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, 331 Ill.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 Board concludes that the appellant has not met this burden and that a reduction is not warranted.

The Board gives no weight to appraisal's estimate of market value as the appraisal does not address the subject property. The appraiser did not inspect the subject and the adjustments made in this appraisal are not reflective of the subject's condition. The intended use of the appraisal was not to estimate the value for other properties. However, the PTAB will look at the raw data submitted in this appraisal as well as the four additional comparables and compare it to the subject.

The appellant presented descriptive and sales information on a total of seven suggested comparables. The Board finds the appellant's comparables from the appraisal and comparables #1 and #2 from the grid similar to the subject and closest to the lien date at issue. These properties sold from November 2009 to March 2011 for prices ranging from \$334,000 to \$439,000 or \$207.20 to \$373.30 per square foot of living area, including land. In comparison, the subject property's assessment reflects a value of \$615,738 or \$362.19 per square foot of living area, including land, which is within the range established by the comparables. Therefore, after considering adjustments and the differences in the comparables when compared to the subject, the Board finds the subject's market value is supported and a reduction to the subject's assessment is not warranted.

The appellant also contends unequal treatment in the subject's improvement assessment as the 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 assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). After an analysis of the assessment data, the PTAB finds the appellant has not met this burden.

The parties presented a total of eight properties suggested as comparable. The PTAB finds all the comparables similar to the subject in size, design, construction, location, and/or age. These properties range: in age from 7 to 15 years; in size from 1,376 to 1,847 square feet of living area; and in improvement assessments from \$22.42 to \$34.48 per square foot of living area. In comparison, the subject's improvement assessment of

\$29.04 per square foot of living area is within the range of these comparables. Therefore, after considering adjustments and the differences in both parties' comparables when compared to the subject, the PTAB finds the subject's per square foot improvement assessment is supported and a reduction in the improvement assessment 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.

Ronald R. Crit

Chairman

K. L. Fan

Member

Richard A. Huff

Member

Mario M. Lino

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: January 24, 2014

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.