



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

APPELLANT: Sara Diggs
DOCKET NO.: 10-35275.001-R-1
PARCEL NO.: 10-13-317-009-0000

The parties of record before the Property Tax Appeal Board are Sara Diggs, 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: \$4,687
IMPR.: \$11,852
TOTAL: \$16,539

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of 6,048 square feet of land improved with a 132-year old, two-story, frame, multi-family dwelling. The appellant argues that the market value of the subject property is not accurately reflected in the property's assessed valuation as the basis of this appeal.

In support of the market value argument, the appellant submitted a residential appraisal summary report of the subject property with an effective date of November 15, 2008. The appraiser estimated a market value for the subject of \$185,000, based upon the income and sales comparison approaches to value.

In addition, the appellant included four additional sales comparables. These properties are described as two-story, frame,

multi-family dwellings. These properties ranged in age from 83 to 108 years and in size from 1,920 to 2,2599 square feet of living area. They sold from April to December 2010 for prices ranging from \$32,000 to \$97,500. Based upon 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 \$30,491. The subject's assessment reflects a market value of \$641,063 using the Illinois Department of Revenue's three-year median level of assessment for class 2, residential property of 8.94% for tax year 2010.

In addition, the board of review submitted descriptive, assessment, and sales data on four suggested comparables. These properties are described as two-story, masonry, frame or frame and masonry, multi-family dwellings with various amenities. The properties range: in age from 92 to 112; in size from 2,068 to 2,974 square feet of living area; and in improvement assessments from \$12.74 to \$22.45 per square foot of living area. They sold from September to November 2010 for prices ranging from \$398,500 to \$450,000.

The board also included four additional equity properties suggested as comparable to the subject. These properties have assessments from \$10.87 to \$11.62 per square foot of living area. Based upon this evidence, the board requested confirmation of the subject's assessment.

In rebuttal, the appellant submitted a letter asserting that the appellant's suggested comparables more accurately reflect the subject's market value than the board of review's evidence. She included a map showing the proximity of the comparables to the subject and color photographs of the board of review's comparables.

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, 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 Board concludes that the appellant has met this burden and that a reduction is warranted.

In determining the fair market value of the subject property, the Board thoroughly considered the parties' evidence and finds the best evidence to be the appellant's appraisal. The Board finds this appraisal to be persuasive for the appraiser inspected the subject property and developed the cost and sales comparison approaches to value in estimating the subject's market value. Moreover, market data was used to obtain improved sale comparables while providing sufficient detail regarding each sale as well as appropriate adjustments, where necessary.

Therefore, the Board finds that the subject property contained a market value of \$185,000 for tax year 2010. Since the market value of the subject has been established, the median level of assessment as determined by the Illinois Department of Revenue's 2010 three-year median level of assessments for class 2, residential property of 8.94% will apply.

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: January 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.