



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

APPELLANT: Dyanna Truong
DOCKET NO.: 11-20097.001-R-1
PARCEL NO.: 10-36-313-035-0000

The parties of record before the Property Tax Appeal Board are Dyanna Truong, 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: \$7,000
IMPR.: \$16,340
TOTAL: \$23,340

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a parcel of land improved with a 56-year old, one-story, masonry, single-family dwelling. The appellant argued that the market value of the subject property is not accurately reflected in its assessed value and that the subject is inequitably assessed as the bases of the appeal.

First, the appellant lists the subject's land size as 4,340 square feet and the improvement size as 805 square feet of living area without any further explanation.

In support of the arguments, the appellant submitted descriptions and assessment and sales information on three properties suggested as comparable. The properties are described as one-story, masonry, single-family dwellings with various

amenities. The properties range: in age from 56 to 59 years; in size from 959 to 1,340 square feet of living area; and in improvement assessments from \$14.22 to \$22.42 per square foot of living area. The lots range in size from 3,125 to 4,375 square feet and have land assessments from \$1.20 to \$1.96 per square foot. The properties sold from April 2009 to August 2011 for prices ranging from \$123.13 to \$201.25 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's total assessment of \$30,112 was disclosed. The improvement assessment is \$23,112 and the land assessment is \$7,000. The subject's total assessment reflects a fair market value of \$317,302 using the Illinois Department of Revenue's 2011 three year median level of assessment for class 2 property of 9.49%.

The board of review lists the subject's land size as 4,375 square feet and the improvement size as 959 square feet of living area. The board of review included the property characteristic printout in support of this.

In addition, the board of review submitted descriptive, sales, and assessment data on four suggested comparables. These properties are described as one-story, stucco, masonry or frame and masonry, single-family dwellings. The properties range: in age from 58 to 111 years; in size from 880 to 968 square feet of living area; and in improvement assessment from \$16.75 to \$25.84 per square foot of living area. They range in lot size from 3,720 to 4,634 square feet with land assessments of \$1.60 per square foot. These properties sold from January 2008 to May 2010 for prices ranging from \$267,500 to \$315,000 or \$286.40 to \$342.39 per square foot of living area. Based upon this evidence, the board requested confirmation of the subject's assessment.

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

As to the subject's land and improvement sizes, the Board finds the appellant failed to submit any evidence to support his assertions and that the best evidence of the subject's size is the property characteristic printout submitted by the board of review. Therefore, the Board finds the subject's land size is 4,375 square feet and the improvement size is 959 square feet of

living area. These sizes reflect assessments of \$1.60 per square foot for the land and \$24.10 per square foot of living area for the improvement.

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 evidence indicates a reduction based on market value is warranted.

The parties presented descriptive and sales information on a total of seven suggested comparables. The Board finds the appellant's comparables and the board of review's comparables #1 and #4 most similar to the subject and most reflective of the market value for the lien year in question. These properties sold from April 2009 to August 2011 for prices ranging from \$165,000 to \$315,000 or from \$123.13 to \$320.25 per square feet of living area, including land. In comparison, the subject property's assessment reflects a value of \$330.86 per square foot of living area, including land, which is above 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 not supported and a reduction in the assessment based on market value is warranted. The board further finds that after a reduction based on market value, the subject is equitably assessed.

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: May 21, 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.