



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

APPELLANT: David Pearah
DOCKET NO.: 11-20968.001-R-1
PARCEL NO.: 16-06-121-040-0000

The parties of record before the Property Tax Appeal Board are David Pearah, the appellant, by attorney Christopher G. Walsh, Jr. 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: \$6,216
IMPR.: \$31,848
TOTAL: \$38,064

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 2011 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 and one-half story dwelling of stucco construction. The dwelling is approximately 88 years old and has 1,988 square feet of living area. Features of the home include a full unfinished basement and central air conditioning. The property has a 6,216 square foot site and is located in Oak Park, Oak Park Township, Cook County. The

subject is classified as a class 2-04 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted limited evidence disclosing the subject property was purchased on November 23, 2009 for a price of \$335,000. The appellant partially completed Section IV - Recent Sale Data of the residential appeal form and disclosed the subject's sale was not a transfer between related parties. The appellant did not answer questions that asked if a realtor had handled the subject's sale; if the subject had been advertised for sale; and how it was advertised and for how long. To document the sale, the appellant submitted a copy of the Illinois real estate transfer declaration (PTAX-203), disclosing the subject property was purchased in November 2009 for a price of \$335,000. The transfer declaration revealed that the property had been advertised for sale. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$38,064. The subject's assessment reflects a market value of \$380,640 or \$191.47 per square foot of living area, land included, when applying the 10% level of assessment for class 2-04 residential property pursuant to the Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales that sold from March to May 2010 for prices that ranged from \$370,000 to \$675,000 or from \$188.68 to \$365.06 per square foot of living area, land included.¹

In addition, Roland Lara, a board of review analyst, submitted a brief challenging the arm's length nature of the subject's sale. The board of review analyst submitted evidence that indicated the November 2009 sale of the subject property was compulsory due to a pending foreclosure. This evidence consisted of print-outs from the Cook County Recorder of Deeds' website. In addition, the board of review analyst stated that the signatures for buyer and seller on the subject's transfer declaration appear to be identical. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

¹ The board of review's comparable #4 was actually the subject property.

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.

The Board gave little weight to the subject's December 2009 sale, because it occurred over one year prior to the January 1, 2011 assessment date. Furthermore, the board of review challenged the arm's length nature of the subject's transaction which was not refuted by the appellant.

The Board finds the best evidence of market value in the record to be board of review comparable sale #2. This property sold more proximate to the assessment date at issue and was very similar to the subject in location, age, living area, and foundation. Comparable #2 sold in May 2010 for a price ranging of \$365.06 per square foot of living area, including land. The subject's assessment reflects a market value of \$191.47 per square foot of living area, including land, which is below the market value of the best comparable sale in the record. Based on this record, the Board finds the subject's assessment is reflective of market value and 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.

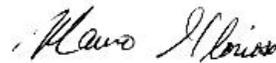
Chairman



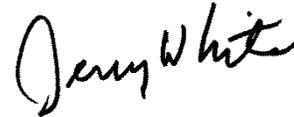
Member



Member



Member



Acting 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: June 26, 2015



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.