FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Jan Jack Malek
DOCKET NO.: 11-21657.001-R-1
PARCEL NO.: 09-19-404-029-0000

The parties of record before the Property Tax Appeal Board are Jan Jack Malek, 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:	$8,649
IMPR.:	$7104
TOTAL:	$15,753

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 11,161 square foot parcel of land with a 95-year-old, one and one-half story, frame, single-family dwelling. The appellant argued that the fair market value of the subject was not accurately reflected in its assessed value.

In support of the market value argument, the appellant submitted an appraisal undertaken by Reginald R. Mighty. The report states that Mighty is a State of Illinois certified residential real estate appraiser. The appraiser stated that the subject has an estimated market value of $166,000 as of December 8, 2011. The appraisal report utilized the sales comparison and cost approaches to value to estimate the market value for the subject property. The appraisal states that Mighty personally inspected

the property, and that the subject's highest and best use as improved is its present use. Based on this evidence, the appellant requests a reduction in the subject’s assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of $28,797 was disclosed. The subject's final assessment reflects a fair market value of $303,445 when the 2011 Illinois Department of Revenue three-year median level of assessment for Class 2 properties of 9.49% is applied.

In support of the subject's assessment, the board of review presented descriptions and assessment information four suggested comparables. The properties are described as one or one and one-half story, frame, masonry or frame and masonry, single-family dwellings with various amenities. These properties range: in age from 7 to 83 years; in size from 1,320 to 2,548 square feet of living area; and in improvement assessments from $11.28 to $15.18 per square foot of living area. They sold from April to August 2010 for prices ranging from $219,000 to $450,000 or from $114.72 to $241.29 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject’s assessment.

After reviewing the record and considering 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 (3d Dist. 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2d 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 is warranted.

In determining the fair market value of the subject property, the Board finds the best evidence to be the appellant's appraisal. The appellant's appraiser utilized the sales comparison and cost approaches to value in determining the subject's market value. The Board finds this appraisal to be persuasive because the appraiser personally inspected the subject property and reviewed the property's history, and used

similar properties in the sales comparison approach while providing adjustments that were necessary. The Board gives little weight to the board of review's comparables as the information provided was unadjusted, raw sales data.

Therefore, the Board finds the subject had a market value of $166,000 for the 2011 assessment year. Since the market value of this parcel has been established, the 2011 Illinois Department of Revenue three-year median level of assessment for Class 2 property of 9.49% will apply and a reduction is 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.

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: June 20, 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.