



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

APPELLANT: Susan Fallon  
DOCKET NO.: 11-25543.001-R-1  
PARCEL NO.: 18-04-121-005-0000

The parties of record before the Property Tax Appeal Board are Susan Fallon, 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:** \$4,930  
**IMPR.:** \$42,520  
**TOTAL:** \$47,450

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a 6,800 square foot parcel of land improved with a 55-year old, two-story, masonry, multi-family building. 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 this overvaluation argument the appellant submitted a letter asserting that the subject property is misclassified as an individually owned townhome when the subject is actually a multi-family dwelling. The letter reads that the subject has been an apartment building for as long as the appellant has owned it. She included a copy of the lease agreements to support the claim the subject is multi-family. The letter also indicates that two other properties within the subject's complex are for sale and are each individually owned townhomes.

The appellant included sales comparables of both single-family and multi-family dwellings and photographs to support her assertion that the county mixes classifications of properties as single-family or multi-family even when these properties are

identical. The sales comparables submitted by the appellant are all multi-family apartment buildings.

In addition, the appellant submitted a small residential income property appraisal report of the subject property with an effective date of October 6, 2011. The appraiser estimated a market value for the subject of \$500,000 based upon the sales comparison and income approaches to value.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's total assessment was \$71,618. The subject's assessment reflects a market value of \$754,668 using the Illinois Department of Revenue's three-year median level of assessment for class 2, residential property of 9.49% for tax year 2011.

In support of the subject's assessment, the board of review submitted descriptions and assessment and sales information on four properties suggested as comparable. The properties are described as two-story, frame or frame and masonry, individually owned townhome dwellings. They sold from February 2008 to August 2010 for prices ranging from \$196,000 to \$225,000. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, submitted the lease agreements again and asserted that the board of review's comparables were not similar to the subject. In addition, the appellant submitted new comparables. The Official Rules of the Property Tax Appeal Board prohibit the submission of new evidence as rebuttal and, therefore, the new comparables cannot be considered by the Board. 86 Ill.Admin.Code 1910.66.

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 (3<sup>rd</sup> Dist. 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2<sup>nd</sup> 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 PTAB 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 income 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.

Therefore, the Board finds the subject had a market value of \$500,000 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.

*Donald R. Cuit*

Chairman

*K. L. Fern*

Member

*Frank A. Huff*

Member

*Mario Morris*

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: July 18, 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.