



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

APPELLANT: Bradley Hertiseen
DOCKET NO.: 11-26004.001-R-1
PARCEL NO.: 29-04-422-079-0000

The parties of record before the Property Tax Appeal Board are Bradley Hertiseen, the appellant(s); 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: \$ 1,300
IMPR.: \$ 4,791
TOTAL: \$ 6,091

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 4,000 square foot parcel of land improved with a 57-year old, one-story, masonry, single-family dwelling. The appellant argued that the market value of the subject property was not accurately reflected in its assessed value as the basis of this appeal.

In support of the market value argument, the appellant submitted an appraisal undertaken by Errol Jacobson. The report states that Jacobson is a State of Illinois certified residential real estate appraiser. The appraiser stated that the subject has an estimated market value of \$18,000 as of October 9, 2011. The appraisal estimates a value based on the cost approach of \$72,950 and \$18,000 based on the sales comparison approach. The appraisal notes that sales comparables #1 through #3 are each "bank reposed" properties with foreclosure deeds. These properties sold from April to August 2011 for prices ranging from \$14,000 to \$20,900 or from \$16.83 to \$23.46 per square foot of living area. The appraisal describes the subject property and opines that it is in average condition and adequately maintained and cared for.

Based upon 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 \$6,091 was disclosed. The subject's final assessment reflects a fair market value of \$64,183 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 sales information four suggested comparables. They have improvement assessments from \$6.03 to \$7.49 per square foot of living area and the subject is assessed at \$4.34 per square foot of living area. They sold from March 2009 to April 2010 for prices ranging from \$77,000 to \$128,000 or from \$101.32 to \$105.05 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 not warranted.

In determining the fair market value of the subject property, the Board thoroughly considered the parties' evidence. The Board finds the appraisal used only distressed sales and did not provide a full reflection of the marketplace. Therefore, the Board will look to the unadjusted raw sales data provided by both parties in determining the subject's market value.

The parties submitted seven closed sales comparables. The Board finds the appellant's comparables and board of review's sale comparable #1 similar to the subject and most probative in determining the subject's market value as of the lien date. These sales occurred from April 2010 to August 2011 for prices ranging from \$14,000 to \$104,000 or from \$16.83 to \$105.05 per square foot of building area. In comparison, the appellant's assessment reflects a market value of \$72.12 per square foot of living area which is within the range established by the comparables. After considering adjustments and the differences in the comparables when compared to the subject, the Board finds the subject's per

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square foot assessment is supported and a reduction is not 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.