



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

APPELLANT: James Schuster  
DOCKET NO.: 11-26886.001-R-1  
PARCEL NO.: 18-08-312-021-0000

The parties of record before the Property Tax Appeal Board are James Schuster, 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:** \$6,367  
**IMPR.:** \$33,592  
**TOTAL:** \$39,959

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-story dwelling of masonry construction. The dwelling is approximately 51 years old and has 2,007 square feet of living area. Features of the home include a full unfinished basement, a fireplace and a two-car garage. The property has a 10,612 square foot site and is located in Western Springs, Lyons 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 August 4, 2011 for a price of \$385,000 or for \$191.83 per square foot of living area, land included. The appellant partially completed Section IV - Recent Sale Data of the residential appeal form and disclosed that 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 August 2011 for a price of \$385,000 and the property had been advertised for sale. Based on this record, the appellant requested the subject's assessment be reduced to \$38,500.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$39,959. The subject's assessment reflects a market value of \$399,590 or \$199.10 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 April 2010 to August 2011 for prices that ranged from \$370,000 to \$480,000 or for \$193.92 to \$248.58 per square foot of living area, land included.

#### **Conclusion of Law**

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.

In this appeal, both parties presented evidence of market value. The Board considered the sale of the subject property presented by the appellant and three comparable sales submitted by the

board of review. Neither party provided conclusive evidence of market value. The subject sold in August 2011 for a price of \$191.83 per square foot of living area, land included. However, the Board finds the appellant submitted limited evidence and failed to establish the amount of time the subject was exposed to the market. The board of review presented three comparable sales that sold from April 2010 to August 2011 for prices that ranged from \$193.92 to \$248.58 per square foot of living area, land included. The board of review comparables were very similar to the subject in location, age, and living area but differed from the subject in design and/or foundation. The Board finds the sale dates of the subject property and the board of review comparables were proximate to the January 1, 2011 assessment date and their sale prices ranged from \$191.83 to \$248.58 per square foot of living area, land included. The subject's assessment reflects a market value of \$199.10 per square foot of living area, land included, which is within the range established by the market evidence submitted for this appeal. Based on this evidence, the Board finds a reduction in the subject's assessment 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.

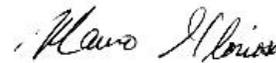
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Chairman



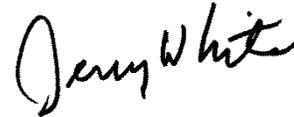
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Acting Member

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



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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.