



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

APPELLANT: Steven & Kimberly O'Hare
DOCKET NO.: 11-26893.001-R-1
PARCEL NO.: 18-17-402-005-0000

The parties of record before the Property Tax Appeal Board are Steven & Kimberly O'Hare, the appellants, 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: \$6,720
IMPR.: \$31,505
TOTAL: \$38,225

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 frame construction. The dwelling is approximately 62 years old and has 3,458 square feet of living area. Features

of the home include a concrete slab foundation, central air conditioning, a fireplace and a two-car garage. The property has a 16,800 square foot site and is located in La Grange, Lyons Township, Cook County. The subject is classified as a class 2-04 property under the Cook County Real Property Assessment Classification Ordinance.

The appellants' appeal is based on overvaluation. In support of this argument, the appellants submitted limited evidence disclosing the subject property was purchased on August 11, 2009 for a price of \$300,000 or for \$86.76 per square foot of living area, land included. The appellants 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 appellants 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 appellants submitted a copy of the Illinois real estate transfer declaration (PTAX-203), disclosing the subject property was purchased in August 2009 for a price of \$300,000. The transfer declaration also revealed that the property had been advertised for sale. Based on this evidence, the appellants 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 \$38,225. The subject's assessment reflects a market value of \$382,250 or \$110.54 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 four comparable sales improved with one or one and one-half story dwellings of frame or frame and masonry construction. The comparables have the same classification and neighborhood codes as the subject property. The comparables sold from February 2010 to September 2011 for prices that ranged from \$265,000 to \$645,000 or for \$140.93 to \$192.87 per square foot of living area, land included.

Conclusion of Law

The appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board gave no weight to the subject's August 2009 sale because it occurred over 16 months prior to the January 1, 2011 assessment date. More importantly, the appellants did not fully complete Section IV of the appeal form and did not provide information regarding how the subject was exposed to the market and for how long. In addition to finding the sale of the subject to be dated, the Board finds the appellants failed to demonstrate the sale had the elements of an arm's length transaction.

The Board finds the board of review submitted four comparables that sold more proximate to the assessment date. The comparables sold from February 2010 to September 2011 for prices that ranged from \$140.93 to \$192.87 per square foot of living area, land included. The subject's assessment reflects a market value of \$110.54 per square foot of living area, land included. The comparable sales submitted by the board of review support the subject's assessment and demonstrate the subject's purchase price was not indicative of fair cash value.

Based on the evidence contained in the record, the Board finds the appellants have not shown by a preponderance of the evidence that the subject is overvalued and no change in the assessment is 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.

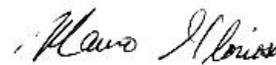
Chairman



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.