



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

APPELLANT: Cornell B. Hughes
DOCKET NO.: 11-28394.001-R-1
PARCEL NO.: 31-23-202-025-0000

The parties of record before the Property Tax Appeal Board are Cornell B. Hughes, 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: \$7,947
IMPR.: \$25,879
TOTAL: \$33,826

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 18,700 square foot parcel of land improved with a 12-year old, two-story, masonry, single-family dwelling containing three and one-half baths, air conditioning, a fireplace, and a full, unfinished basement. The appellant argued that the fair market value of the subject was not accurately reflected in its assessed value as the basis of the appeal.

In support of the market value argument, the appellant submitted descriptive and sales information on four properties suggested as comparable to the subject. The properties are described two-story, frame or frame and masonry, single-family dwellings with various amenities. The properties range in age from 15 to 30 years and in size from 2,834 to 3,326 square feet of living

area. They sold from December 2010 to August 2011 for prices ranging from \$160,000 and \$280,000 or from \$48.10 to \$98.80 per square foot of living area, land included. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The Cook County Board of Review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$36,260 was disclosed. This assessment yields a market value of \$382,086 or \$113.48 per square foot of living area using the Illinois Department of Revenue's three-year median level of assessment of 9.49% for class 2, residential property.

In support of the subject's assessment, the board of review presented descriptions and assessment information on three properties suggested as comparable. The properties are described as two-story, frame and masonry, single-family dwellings with various amenities. The properties range: in age from 15 to 49 years; in size from 2,942 to 3,611 square feet of living area; and in improvement assessments from \$8.09 to \$8.66 per square foot of living area. These properties sold from January to June 2009 for prices ranging from \$365,000 to \$490,000 or from \$128.35 to \$135.70 per square foot of building area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant submitted a letter arguing that the board of review's sales comparables are aged and located in a different town.

At hearing, the appellant testified that he is a real estate broker and is familiar with the real estate market in the subject's area. He testified the comparable are located from one-half to two and one-half miles away from the subject in Olympia Fields. He argued that the board of review's comparables sold in 2009 which are aged compared to the lien date. He also argued that these properties are located in Flossmoor and not Olympia Fields, as is the subject.

Under cross-examination, Mr. Hughes testified the subject is in good condition. He testified his comparables are similar in condition to the subject. He testified he is familiar with comparable #3 and the renovations needed were cosmetic in nature. He acknowledged that the comparables were foreclosures or being offered for sale pre-foreclosure. Mr. Hughes testified that comparable #3 is located right down the street from the subject. He testified that comparable #4 is located in an

exclusive neighborhood of Olympia Fields that is 2.7 miles away from the subject.

The board of review's representative, Isreal Smith, testified that the appellant's rebuttal evidence includes maps that show the location of the board of review's comparables and that these properties are located in close proximity to the subject. He testified that, based on personal knowledge, Olympia Fields and Flossmoor are similar neighborhoods.

After reviewing the record and considering the evidence, the Property Tax Appeal Board (the "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. Cook Cnty. Bd. of Review v. Prop. Tax Appeal Bd., 339 Ill. App. 3d 529, 545 (1st Dist. 2002); National City Bank of Michigan/Illinois v. Prop. Tax Appeal Bd., 331 Ill. App. 3d 1038, 1042 (3d Dist. 2002) (citing Winnebago Cnty. Bd. of Review v. Prop. Tax Appeal Bd., 313 Ill. App. 3d 179 (2d Dist. 2000)); 86 Ill. Admin. Code § 1910.63(e). 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. Calumet Transfer, LLC v. Prop. Tax Appeal Bd., 401 Ill. App. 3d 652, 655 (1st Dist. 2010); 86 Ill. Admin. Code. § 1910.65(c). Having considered the evidence presented, the Board finds that a reduction is not warranted.

The parties presented sales information on a total of seven suggested comparables. In reviewing the evidence, the Board finds the appellant's comparables similar to the subject and with sale dates closest to the lien date in question. These properties sold from December 2010 to August 2011 for prices ranging from \$160,000 and \$280,000 or from \$48.10 to \$98.80 per square foot of living area, land included. The subject's assessment reflects a market value of \$113.48 per square foot of living area which is above the range of these properties. The Board finds that a reduction to the appellant's requested assessment 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.

Ronald R. Cuit

Chairman

K. L. Fern

Member

Tracy 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: May 21, 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.