

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Ariel Trajano  
DOCKET NO.: 05-27616.001-R-1  
PARCEL NO.: 06-32-305-009-0000

The parties of record before the Property Tax Appeal Board (PTAB) are Ariel Trajano, the appellant, and the Cook County Board of Review (board).

The subject property consists of a one-year-old, two-story single-family dwelling of frame construction and located in Hanover Township, Cook County. The residence contains two and one-half bathrooms, a full basement, air conditioning and a three-car garage. The appellant claimed the subject contained 3,305 square feet of living area. As evidence of this claim the appellant submitted the subject's marketing advertisement describing the appellant's "Newcastle" Model as containing 3,305 square feet. No evidence of measurement other than the Assessor's measurement was submitted. The Assessor's official records describe the subject as containing 3,460 square feet. The PTAB finds the best evidence of building size is the Assessor's estimate of 3,460 square feet.

The appellant appeared before the PTAB and submitted evidence claiming unequal treatment in the assessment process as the basis of the appeal. In support of this argument, the appellant offered four suggested comparable properties located within a quarter mile of the subject. These properties consist of two-story single-family dwellings of frame and masonry or frame construction and are one year old. The comparables have two and one half bathrooms. All homes are air-conditioned and have fireplaces and three-car garages. The comparables contain 3,460 square feet of living area. All four comparables have occupancy factors. The full improvement assessments for comparables two, three and four are \$10.00, \$11.97 and \$12.47 per square foot of living area. The appellant also testified that he paid \$339,125 in January 2005 for his property. The appellant requested an assessment based on 10% of his purchase price. Based on this

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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: \$10,515  
IMPR. \$22,617  
TOTAL: \$33,132

Subject only to the State multiplier as applicable.

PTAB/TMcG.

evidence, the appellant requested a reduction in the subject's assessment.

The board submitted its "Board of Review Notes on Appeal" wherein the subject's final improvement assessment of \$33,285, or \$9.62 per square foot of living area, was disclosed. The subject was assigned an occupancy factor of 96.2% for 2005. The full improvement assessed value is \$34,599 or \$10.00 per square foot. In support of the subject's assessment, the board offered two suggested comparable properties located within a quarter mile of the subject. The comparables consist of two-story single-family dwellings of frame construction and are one year old. The comparables contain two and one half-baths, full basements; both have air conditioning and three-car garages. The comparables contain 3,460 square feet of living area and have improvement assessments of \$34,600 or \$10.00 per square foot of living area. In addition, the board disclosed the subject was purchased on January 1, 2005 for \$339,125 under warranty deed #503441022. Based on this evidence, the board requested confirmation of the subject property's assessment.

After hearing the testimony 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. *Property Tax Appeal Board Rule 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. *Property Tax Appeal Board Rule 1910.65(c)*.

The PTAB finds that the appellant has met this burden and has submitted the best evidence of market value. The appellant's testimony and the board's evidence indicate that the subject property was purchased for \$339,125 in 2005.

Since the PTAB has determined that a reduction in the subject's assessment is warranted based upon a market value argument, the PTAB finds no need to address the board of review's equity argument.

Since the market value of the subject has been established, the Department of Revenue's 2005 three-year median level of assessments for Cook County Class 2 property of 9.77% will apply.

In applying, the Department of Revenue's median level of assessment for class 2 property in Cook County of 9.77% for tax year 2005, the subject's total assessment should not be in excess

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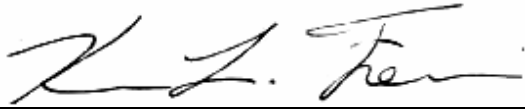
of \$33,132, while the subject's current total assessment is at \$43,800.

As a result of this analysis, the PTAB finds that the appellant has adequately demonstrated that the subject property was overvalued and that a reduction in the subject's assessment is warranted.

This is a final administrative decision of the Property Tax Appeal Board are 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



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: September 28, 2007



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.