



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

APPELLANT: Matthew Moog  
DOCKET NO.: 06-30986.001-R-1  
PARCEL NO.: 14-33-301-114-0000

The parties of record before the Property Tax Appeal Board are Matthew Moog, the appellant, by attorney Arnold G. Siegel of Chicago, 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: \$20,280  
IMPR.: \$129,496  
TOTAL: \$149,776**

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a three-story with full basement, masonry constructed, single family dwelling with a gross living area of 4,851 square feet. The property has lower level living area, central air conditioning, three fireplaces and a two-car garage. The dwelling is approximately 10 years old. The subject has a 3,380 square foot site and is located in Chicago, North Chicago Township, Cook County. The property is classified as a class 2-08 residential property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends that the market value of the subject property is not accurately reflected in the property's assessed valuation as the basis of this appeal. In support of the market value argument, the appellant submitted an appraisal prepared by Property Valuation Services (PVS) estimating the subject property had a market value of \$1,480,000 as of January 1, 2006. The appraisers determined the highest and best use of the subject property as improved was its current use. The appraisers developed the cost approach to value and sales comparison approach to value to arrive at their estimate of market value. Under the cost approach the appraisers first estimated the site value using five comparable land sales that ranged in size from

3,125 to 6,000 square feet. The sales occurred from October 2005 to December 2006 for prices ranging from \$900,000 to \$1,630,000 or from \$240.00 to \$307.38 per square foot of land area. Based on these sales, the appraisers estimate the subject had a site value of \$280.00 per square foot or \$945,000, rounded.

The appraisers utilized the replacement cost new to develop the value of the improvements under the cost approach. Using the Marshall Valuation Service the appraisers estimated the replacement cost new of dwelling was \$768,075. Using the age/life method the appraisers estimated the subject suffered from 13% depreciation from replacement cost new or \$99,850 in depreciation from all causes resulting in a depreciated building value of \$668,225. To this amount the appraisers added \$5,000 for the depreciated value of the site improvements and the site value to arrive at an indicated value under the cost approach of \$1,620,000.

In the sales comparison approach the appraisers used five comparable sales. The comparables were composed of two-story or three-story single family dwellings of brick or masonry construction. The comparables ranged in size from 3,108 to 4,854 square feet of living area. Each comparable had a finished basement, one or three fireplaces and a 2-car or a 4-car garage. The dwellings were constructed from 1890 to 1991 and had sites that ranged in size from 2,880 to 3,885 square feet of land area. The comparables sold from December 2005 to April 2007 for prices that ranged from \$800,000 to \$1,435,300 or from \$257.40 to \$315.59 per square foot of living area, land included. After considering adjustments to the properties for time/market conditions, location, construction, age/condition, size and room count the appraisers estimated the subject's market value to be \$305.00 per square foot of living area or \$1,480,000, rounded, using the sales comparison approach.

In reconciling the two approaches to value, the appraisers placed minimum emphasis on the cost approach and gave maximum emphasis to the sales comparison approach. The appraisers estimated the subject property had a market value of \$1,480,000 as of January 1, 2006.

The appellant's counsel submitted a copy of PTAX-215 form for 2006 providing the three year average median level of assessments for Cook County as determined by the Illinois Department of Revenue. Based on this document the appellant requested the market value finding in the appraisal be debased using a 9.23% level of assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$236,800 was disclosed. The subject's assessment reflects a market value of \$2,339,921 or \$482.36 per square foot of living area using the 2006 three-year average median level of assessments for Cook County Class 2, residential property as determined by the Illinois Department of Revenue of 10.12%.

In support of the assessment the board of review submitted an analysis using four equity comparables. The properties were improved with three-story dwellings of masonry construction that ranged in size from 4,196 to 4,898 square feet of living area. The dwellings were 7 or 10 years old. Each comparable had a full basement finished with a recreation room, central air conditioning, one to three fireplaces and a two-car garage. The comparables had improvement assessments ranging from \$229,200 to \$293,084 or from \$50.00 to \$59.84 per square foot of living area. The subject's improvement assessment is \$216,520 or \$44.63 per square foot of living area. The board of review also disclosed its comparable #4 sold in March 2004 for a price of \$2,700,000 or \$598.27 per square foot of living area. As a result of its analysis, the board of review requested confirmation of the subject's assessment.

After considering the evidence and reviewing the record, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Board further finds the evidence in the record supports a reduction in the subject's assessment.

When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3<sup>rd</sup> Dist. 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2<sup>nd</sup> 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 Property Tax Appeal Board finds that the appellant met this burden of proof and a reduction is warranted.

In determining the fair market value of the subject property, the Property Tax Appeal Board finds the best evidence to be the appellant's appraisal. The appellant's appraisers utilized both the cost approach and the sales comparison approach in estimating the market value of the subject property. The appraisers gave most emphasis to the sales comparison approach, which included five sales relatively similar to the subject, in estimating the subject property had a market value of \$1,480,000 as of January 1, 2006. The board of review provided information on four comparables used primarily to demonstrate assessment uniformity. The record disclosed only one of the comparables submitted by the board of review sold. The Board finds one sale, which was the oldest sale in the record occurring in March 2004, is not sufficient evidence to refute the estimated market value as contained in the appellant's appraisal. The subject's assessment reflects a market value of \$2,339,921 or \$482.36 per square foot of living area using the 2006 three-year average median level of assessments for Cook County Class 2, residential property as

determined by the Illinois Department of Revenue of 10.12%, which is significantly above the appraised value.

Based on this record the Property Tax Appeal Board finds that the subject property had a market value of \$1,480,000 as of January 1, 2006. Since the market value of the subject has been established, the 2006 three-year median level of assessment as established by the Illinois Department of Revenue for Cook County Class 2, residential property of 10.12% shall apply. 86 Ill.Admin.Code 1910.50(c)(2).

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. Guit*

Chairman

*Frank A. Grief*

Member

Member

*Mark Morris*

*Shawn R. Gorski*

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: January 21, 2011

*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.