



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

APPELLANT: Mary Von Mandel
DOCKET NO.: 09-33001.001-R-1
PARCEL NO.: 17-04-216-051-0000

The parties of record before the Property Tax Appeal Board are Mary Von Mandel, the appellant(s), by attorney Jason T. Shilson, of O'Keefe Lyons & Hynes, LLC in 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: \$ 21,000
IMPR.: \$ 52,301
TOTAL: \$ 73,301

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 2009 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 two-story townhome dwelling of masonry construction with 1,908 square feet of living area. The dwelling was constructed in 1965. Features of the home include a full unfinished basement, one fireplace, and one and

one-half baths. The property has a 1,680 square foot site and is located in Chicago, North Chicago Township, Cook County.

The appellant argued that there was unequal treatment in the assessment process of the subject's improvement, and also that the fair market value of the subject property was not accurately reflected in its assessed value as the bases of this appeal.

In support of the equity argument, the appellant submitted descriptive and assessment information for 23 properties suggested as comparable to the subject. In support, the appellant submitted the Cook County Assessor's website printouts for each comparable.

In support of the market value argument, the appellant submitted an appraisal estimating the subject's adjacent property had a market value of \$675,000 as of May 2010. The appellant's attorney stated that the subject and the appraised adjacent property are identical in age, construction, and location.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$80,108. The subject's assessment reflects a market value of \$900,090 or \$471.75 per square foot of living area, land included, when using the 2009 three year average median level of assessment for Cook County of 8.90% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted four equity comparables and sales data for comparable #2.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board does not find the appraisal submitted by the appellant persuasive. The appraisal was not prepared for the subject

property but for an adjacent property. The appellant did not include an appraiser's certification/statement applying the appraisal's value to the subject property. Furthermore, no inspection and review of the subject was completed by the appraiser to justify the same appraised value for the subject property.

In looking at the appraisal's raw sales data, the Board finds the best evidence of market value to be the appellant's three sale comparables and the board of review's sale comparable #2. These similar comparables sold for prices ranging from \$319.28 to \$431.66 per square foot of living area, including land. The subject's assessment reflects a market value of \$471.74 per square foot of living area, including land, which is above the range established by the best comparable sales in this record. Based on this evidence the Board finds a reduction in the subject's assessment is justified. Since the subject's market value has been determined, the Board finds that the subject's value is now fair and equitably assessed.

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

Klaus Albino

Member

[Signature]

Member

Member

Jerry White

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: August 21, 2015

[Signature]

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.