



AMENDED

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

APPELLANT: Debra Freeman-Larrea
DOCKET NO.: 10-20912.001-R-1
PARCEL NO.: 14-20-121-036-0000

The parties of record before the Property Tax Appeal Board are Debra Freeman-Larrea, the appellant(s); 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: \$ 16,875
IMPR.: \$ 119,170
TOTAL: \$ 136,045**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject has 3,125 square feet of land, which is improved with a 16 year old, two-story, masonry, single-family dwelling. The subject's improvement size is 2,684 square feet of living area, which equates to an improvement assessment of \$44.40 per square foot of living area. Its total assessment is \$136,045, which yields a fair market value of \$1,521,756, or \$566.97 per square foot of living area (including land), after applying the 2010 Illinois Department of Revenue three year median level of assessment for Class 2 properties of 8.94%. 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 four properties suggested as comparable to the subject. The comparables are

described as two-story, masonry, single-family dwellings. Additionally, the comparables range: in age from 7 to 21 years; in size from 2,052 to 3,570 square feet of living area; and in improvement assessments from \$29.19 to \$45.69 per square foot of living area. The comparables also have various amenities.

In support of the market value argument, the appellant submitted an undated letter from Chase bank stating that the appellant's home equity line of credit was frozen as of August 9, 2008, and that the subject's value was \$920,000. The letter states that "a proven valuation method" was used to estimate the subject's market value, but the letter does not disclose what valuation method was used.

Upon receipt of the appellant's appeal, the Property Tax Appeal Board (the "Board") found that the subject consisted of two Property Index Numbers ("PINs"), and remitted an "Incomplete Appeal" form to the appellant, seeking a "Multi-Parcel Addendum" for the second PIN. The appellant responded by stating that only the first PIN was being appealed. The appellant also submitted a residential appraisal report for the subject property with an effective date of May 10, 2012. The appraiser estimated a fair market value for the subject of \$885,000 based on the cost and sales comparison approaches to value. The appraiser also conducted an inspection of the subject. 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 total assessment of \$140,044 was disclosed. In support of the subject's assessment, the board of review submitted descriptive and assessment information for four properties suggested as comparable to the subject. The comparables are described as two-story or three-story, masonry, single-family dwellings. Additionally, the comparables range: in age from two to ten years; in size from 2,750 to 3,027 square feet of living area; and in improvement assessments from \$32.31 to \$47.86 per square foot of living area. The comparables also have several amenities. The board of review's grid sheet also states that Comparable #1 sold in December 2009 for \$1,505,000, or \$511.90 per square foot of living area, including land; Comparable #2 sold in July 2009 for \$1,475,000, or \$536.36 per square foot of living area, including land; Comparable #3 sold in December 2009 for \$1,901,545, or \$628.19 per square foot of living area, including land; and that Comparable #4 sold in May 2009 for \$1,332,000, or \$481.21 per square foot of living area, including

land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After reviewing the record and considering the evidence, 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 the evidence indicates a reduction is not warranted based on market value.

The Board finds that the appraisal submitted by the appellant was not timely filed. The appellant was granted 30 days to complete a multi-parcel addendum form, which was ultimately not needed as this appeal concerns only one parcel. The appellant did not seek an extension of time to submit additional evidence, and was not granted such an extension by the Board. Therefore, the Board finds that the appraisal was not submitted timely, and cannot be considered in this decision. Moreover, the appellant's original submission, which included the letter from Chase bank freezing the appellant's home equity line of credit, is not persuasive evidence as to the subject's market value. This letter does not detail how the subject's value was determined, but only makes a conclusory statement that the subject's market value was \$920,000 around August 9, 2008. Therefore, this letter was given little weight by the Board. The board of review's sales comparables were given little weight as well, as these comparables consisted of raw sales data that did not make any adjustments for market conditions.

The appellant contends unequal treatment in the subject's improvement assessment as the basis of this appeal. Taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment

valuations by clear and convincing evidence. Walsh v. Prop. Tax Appeal Bd., 181 Ill. 2d 228, 234 (1998) (citing Kankakee Cnty. Bd. of Review v. Prop. Tax Appeal Bd., 131 Ill. 2d 1 (1989)); 86 Ill. Admin. Code § 1910.63(e). To succeed in an appeal based on lack of uniformity, the appellant must submit documentation "showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property." Cook Cnty. Bd. of Review v. Prop. Tax Appeal Bd., 403 Ill. App. 3d 139, 145 (1st Dist. 2010); 86 Ill. Admin. Code § 1910.65(b). "[T]he critical consideration is not the number of allegedly similar properties, but whether they are in fact 'comparable' to the subject property." Cook Cnty. Bd. of Review v. Prop. Tax Appeal Bd., 403 Ill. App. 3d at 145 (citing DuPage Cnty. Bd. of Review v. Prop. Tax Appeal Bd., 284 Ill. App. 3d 649, 654-55 (2d Dist. 1996)). After an analysis of the assessment data, the Board finds that the appellant has not met this burden.

The Board finds that Comparables #1, #2, and #3 submitted by the appellant, and Comparables #1, #2, and #4 submitted by the board of review were most similar to the subject in location, size, style, exterior construction, features, and/or age. Due to their similarities to the subject, these comparables received the most weight in the Board's analysis. These comparables had improvement assessments that ranged from \$29.19 to \$47.86 per square foot of living area. The subject's improvement assessment of \$44.40 per square foot of living area is within the range established by the most similar comparables. Therefore, after considering adjustments and differences in both parties' comparables when compared to the subject, the Board finds that the subject's improvement assessment is equitable, and a reduction in the subject's assessment is not 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.

Donald R. Lut

Chairman

K. L. Fer

Member

Stephen J. Hurl

Member

Mario Illinois

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:

March 21, 2014

Gillian Castrovilli

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.