



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

APPELLANT: Martin Nixon
DOCKET NO.: 10-21665.001-R-1
PARCEL NO.: 01-27-401-012-0000

The parties of record before the Property Tax Appeal Board are Martin Nixon, the appellant, by attorney Edward M. Burke of Klafter & Burke 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: \$9,650
IMPR: \$136,350
TOTAL: \$146,000

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 2010 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 dwelling of masonry construction with 4,056 square feet of living area. The dwelling is approximately 31 years old. Features of the home include a full unfinished basement, central air conditioning,

three fireplaces and a 3.5-car garage. The property has a 55,143 square foot site and is located in South Barrington, Barrington Township, Cook County. The subject is classified as a class 2-08 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on July 5, 2007 for a price of \$1,460,000. The appellant provided limited information in Section IV - Recent Sale Data of the residential appeal form to demonstrate the sale had the elements of an arm's-length transaction. Based on this evidence, the appellant requested the subject's assessment be reduced to \$146,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$158,510. The subject's assessment reflects a market value of \$1,585,100 or \$390.80 per square foot of living area, land included, when applying the level of assessments for class 2-08 property of 10% under the Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment the board of review submitted information on four equity comparables. The comparables were improved with two-story dwellings that ranged in size from 3,827 to 4,061 square feet of living area and in age from 24 to 31 years old. These comparables had similar features as the subject property. Their improvement assessments range from \$67,355 to \$71,706 or from \$17.60 to \$18.03 per square foot of living area. The subject has an improvement assessment of \$148,860 or \$36.70 per square foot of living area.

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 finds the evidence disclosed the subject property was purchased in July 2007 for a price of \$1,460,000. The board of

review did not submit any evidence to challenge the arm's length nature of the subject's sale or any market data to refute the contention the purchase price was indicative of the property's market value as of the assessment date or to support the assessment. The subject's assessment reflects a market value above the purchase price.

The board of review submitted four equity comparables that had improvement assessments that ranged from \$17.60 to \$18.03 per square foot of living area. The subject has an improvement assessment of \$36.70 per square foot of living area, which is above the range established by the board of review comparables.

Based on the evidence contained in the record, the Board finds a reduction in the subject's assessment is justified.

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: July 24, 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.