



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

APPELLANT: Brendan Caile
DOCKET NO.: 10-33070.001-R-1
PARCEL NO.: 03-30-203-027-0000

The parties of record before the Property Tax Appeal Board are Brendan Caile, the appellant, by attorney Stephanie Park of Park & Longstreet, P.C. in Rolling Meadows; 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: \$3,465
IMPR.: \$15,035
TOTAL: \$18,500

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 one and one-half story dwelling of frame construction. The dwelling is approximately 58 years old and has 1,152 square feet of living area. Features of the home include a full finished basement, central air conditioning and a one-car garage. The property has a 6,600 square foot site and is located in Arlington Heights, Wheeling Township, Cook County. The property is a class 2-03 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal estimating the subject property had a market value of \$185,000 as of October 5, 2010. The appraiser developed both the sales comparison and cost approaches to value but gave primary emphasis to the sales comparison approach. The appraiser analyzed three comparable sales and two active listings to arrive at the estimate of the subject's market value. The appraiser stated that the subject property had been on the market for approximately 674 days since 2008 and was in the process of being sold "as is" for a contract price of \$185,000 as of September 16, 2010.¹ Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$22,888. The subject's assessment reflects a market value of \$228,880 or \$198.68 per square foot of living area, including land, when applying the 10% level of assessment for class 2-03 residential property under the Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment, the board of review submitted three comparable sale properties.

The appellant's attorney submitted a rebuttal brief.

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 that the board of review was not able to adequately refute the market value conclusion contained in the appellant's appraisal report. The board of review submitted four comparable sales but made no adjustments to the sale prices for differences from the subject. Three of the four comparables differed in design from the subject, and the remaining

¹ Appraisal report, page 1.

comparable had significantly more living area than the subject. Consequently, the Board gives little weight to the board of review's market value evidence.

The Board finds the best evidence of the subject's market value was in the appraisal submitted by the appellant. The appellant's appraiser estimated the subject property had a market value of \$185,000 as of October 5, 2010. The appraiser analyzed three comparable sales and two active listings in order to estimate the subject's market value. The Board finds that two of the comparable sales utilized in the appraisal were described as "distressed" properties and the other comparable sale differed significantly from the subject in design and foundation. The Board finds more persuasive the appraiser's discussion of the subject's listing history and its contract price. The appraiser stated that the subject property was being sold "as is" for a contract price of \$185,000 as of September 16, 2010. Consequently, the Board finds the subject property had a market value of \$185,000 as of the assessment date at issue. The Board finds the subject's contract price is below the market value reflected by its assessment.

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

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: May 22, 2015



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.