



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

APPELLANT: Donna L. Shaw
DOCKET NO.: 10-34446.001-R-1
PARCEL NO.: 17-10-221-031-0000

The parties of record before the Property Tax Appeal Board are Donna L. Shaw, the appellant, by attorney Kevin B. Hynes 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 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: \$10,570
IMPR.: \$62,055
TOTAL: \$72,625

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 three-story townhouse of masonry construction with 1,965 square feet of living area. The dwelling was constructed in 1995. Features of the home include a slab foundation, central air conditioning, a fireplace and a one-car garage.¹ The property has a 1,057 square foot site and is

¹ The Board finds the best evidence of whether the subject has a fireplace and the size of the garage is the sketch and photographs within the appellant's appraisal.

located in Chicago, North Chicago Township, Cook County. The subject is classified as a class 2-95 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal.² In support of this argument the appellant submitted a housing price forecast, three comparable sales and an appraisal of the subject property. The appraisal estimated the subject had a market value of \$550,000 as of January 1, 2009.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$72,625. The subject's assessment reflects a market value of \$726,250 or \$369.59 per square foot of living area, including land, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales.

The appellant submitted a rebuttal brief critiquing the board of review's submission.

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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the best evidence of market value to be the appellant's appraisals sales #2, #3 and #4. These sales were most similar to the subject in location, age, size, features and also sold most proximate to the January 1, 2010 assessment date at issue. The sales occurred from February 2009 to May 2010 for prices ranging from \$551,000 to \$830,000 or from \$280.41 to \$381.68 per square foot of living area, including land. The subject's assessment reflects a market value of \$726,250 or \$369.59 per square foot of living area, including land, which is within the range established by the best comparable sales in the record. The Board gave less weight to the value conclusion arrived at from the appellant's appraisal due to its effective date occurring one year prior to the assessment date at issue, without being adjusted for time. In addition, the appellant's

² The appellant's appeal form was also marked as if assessment equity was being argued, however, the appellant failed to submit an assessment equity grid. Therefore, the Board will not address assessment equity in its decision.

appraisal included two sales from 2008, which would be less probative of the real estate market as of the January 1, 2010 assessment date. Likewise, the Board gave less weight to the board of review's sales due to their sale dates occurring in 2007 and 2008. The Board gave less weight to the appellant's housing price forecast for sales in Illinois and Chicago due to the generality of the data. The Board further finds the appellant's three sales included the appellant's appraisal sale #2, which the Board used in its final analysis. The remaining two sales occurred in 2008 and 2011, dates that would be less probative of the real estate market as of the January 1, 2010 assessment date at issue. Based on the evidence in this record, the Board finds a reduction in the subject's assessment is not 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 Albrecht

Member

[Signature]

Member

Jerry White

Member

Robert Hoffmann

Acting 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: March 18, 2016

[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.