



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

APPELLANT: Linda Bacci
DOCKET NO.: 10-34779.001-R-1
PARCEL NO.: 14-33-300-061-0000

The parties of record before the Property Tax Appeal Board are Linda Bacci, the appellant, by attorney Arnold G. Siegel of Siegel & Callahan, P.C., 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: \$24,562
IMPR: \$118,478
TOTAL: \$143,040

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a three-story single-family dwelling of masonry construction containing 3,911 square feet of living area. The dwelling is 16 years old. Features of the home include a full finished basement, central air conditioning, three fireplaces and an attached two-car garage. The property has a 3,275 square foot site and is located in Chicago, North Chicago Township, Cook County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$1,600,000 as of January 1, 2009. The appraisal was prepared by William L. Shulman, an associate real estate trainee with supervision by Harry M. Fishman, a State of Illinois Certified General Real Estate Appraiser. In estimating the market value of the subject property the appraisers developed the sales comparison approach to value.

Using the sales comparison approach the appraisers provided information on three comparable sales located within $\frac{3}{4}$ of a mile

of the subject property. The comparables are described as three-story dwellings of masonry construction that range in size from 3,462 to 3,553 square feet of living area. The dwellings range in age from 21 to 121 years old. Comparable #1 has a full unfinished basement. Each comparable has central air conditioning, one or three fireplaces and a two-car garage. The comparables have sites ranging in size from 2,099 to 3,050 square feet of land area. The comparables sold from November 2008 to August 2009 for prices ranging from \$1,430,000 to \$1,575,000 or from \$413.06 to \$443.29 per square foot of living area, including land. After making adjustments to the comparables as detailed in a Text Addendum for date of sale/time and for differences from the subject in site, age, gross living area, foundation, functional utility, number of fireplaces and/or a detached garage, the appraisers estimated the comparables had adjusted prices ranging from \$1,564,695 to \$1,610,663 or from \$451.05 to \$453.32 per square foot of living area, including land. Based on this data the appraisers estimated the subject had an estimated value of \$1,600,000 or \$409.10 per square foot of living area, including land, as of January 1, 2009.

Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the appraised value at the median level of assessments.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$188,901 was disclosed. The subject's assessment reflects a market value of \$2,112,987 or \$540.27 per square foot of living area, including land, when applying the 2009 three year average median level of assessments for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 8.94% as determined by the Illinois Department of Revenue.

In support of the subject's assessment the board of review submitted a grid analysis of three equity comparables. As the equity data is not responsive to the appellant's overvaluation appeal, this data will not be further examined on the record.

In addition, the board of review submitted a listing of 20 sales that are reportedly Class 08 (2+ story modern large residences) within neighborhood 74012 of North Chicago Township. The sales occurred between May 1994 and December 2009 for prices ranging from \$289,951 to \$4,125,000. The properties are listed by parcel identification number. There is no descriptive information for any of these properties.

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

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Board further finds a reduction in the subject's assessment is warranted.

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. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3rd Dist. 2002); 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 best evidence of market value to be the appraisal of the subject property submitted by the appellant. The appellant's appraisers developed the sales comparison approach to value and the sales utilized by the appraisers were similar to the subject in location, size, style, exterior construction, features, age and land area. Where there were differences, the appraisers made adjustments and articulated the reasons for those adjustments in an attached addendum. These properties also sold proximate in time to the assessment date at issue of January 1, 2010. The appraised value of \$1,600,000 is below the market value reflected by the assessment of \$2,112,987.

The board of review provided no substantive market value evidence to refute the sales and/or value conclusion contained within the appellant's appraisal report. The listing of 20 sales provided by the board of review lacks the descriptive characteristics necessary to engage in any meaningful analysis of the data and thus, this information has been given no weight in the Board's analysis.

Based on this record the Board finds the appellant's appraisal is the best evidence of market value and thus, the subject property had a market value of \$1,600,000 as of January 1, 2010. Since market value has been determined the 2009 three year average median level of assessments for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 8.94% shall apply. (86 Ill.Admin.Code §1910.50(c)(2)).

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: April 18, 2014



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.