



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

APPELLANT: Jane Foran
DOCKET NO.: 10-34789.001-R-1
PARCEL NO.: 14-32-220-044-0000

The parties of record before the Property Tax Appeal Board are Jane Foran, 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: \$23,437
IMPR.: \$86,563
TOTAL: \$110,000

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 two multi-family dwellings. Improvement #1 is a three-story building of masonry construction with 4,945 square feet of living area with three apartment units. The building has a full unfinished basement. Improvement #2 is a two-story building of masonry construction with 1,264 square feet of living area with two apartment units.¹ This building has a slab foundation. Both improvements are 121 years old. The property is located in Chicago, North Chicago Township, Cook

¹ The parties differ as to the size of improvement #2.

County. The subject property is classified as a class 2-11 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 \$1,100,000 as of January 1, 2009. The appellant's submission included a letter from the appellant's appraisers' opining the subject property's market value as of January 1, 2010 is substantially the same as previously reported in 2009.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$128,499. The subject's assessment reflects a market value of \$1,284,990 or \$206.96 per square foot of living area including land, when using a total of 6,209 square feet of living area and 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 equity comparables for each of the subject's improvements.

The board of review also submitted a list of 20 sales of multi-family dwellings from the subject's neighborhood. Two of these sales occurred in January and August 2010 for \$2,565,000 and \$805,000, respectively.

The appellant submitted a rebuttal brief acknowledging receipt of the board of review's submission and requesting the appeal be written on the evidence.

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.

As an initial matter regarding improvement #2's dwelling size, the Board finds the appellant's appraisal lacked a sketch of the dwelling, even though on the "Assumptions and Limiting Conditions" page of the report the appraisers acknowledge that, "**Sketches herein** are not exact and are intended only to aid in visualizing the property and its location." The board of review submitted the subject's property record card disclosing improvement #2 has 1,264 square feet of living area. For the

purposes of this appeal, the Board finds improvement #2 has 1,264 square feet of living area.

The Board finds the best evidence of market value to be the appellant's appraisal estimating the subject property had a market value of \$1,100,000 as of January 1, 2009 and updated by letter to January 1, 2010. The subject's assessment reflects a market value of \$1,284,990, which is above the value established by the appellant's appraisal. The Board finds the equity comparables presented by the board of review are not responsive to the overvaluation argument made by the appellant and were given less weight in its analysis. Based on the evidence in this 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 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.