FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Bayani Pahati
DOCKET NO.: 11-21072.001-R-1
PARCEL NO.: 08-09-407-018-0000

The parties of record before the Property Tax Appeal Board are Bayani Pahati, the appellant(s); 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:	$5,695
IMPR.:	$25,622
TOTAL:	$31,317

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of 9,906 square feet of land improved with a 43-year old, multi-story, frame and masonry, single-family dwelling containing 2,107 square feet of living area. The appellant argues that the market value of the subject property is not accurately reflected in the property's assessed valuation as the basis of this appeal.

In support of the market value argument, the appellant submitted a summary appraisal report of the subject property with an effective date of August 23, 2011. The appraiser estimated a market value for the subject of $330,000, based upon the sales comparison approach to value. These split-level properties range in age from 32 to 50 years and contain between 1,807 to 2,500 square feet of living area. They sold from July to August 2011 for prices ranging from $129.20 to $196.46 per square foot of living area. The appraisal lists the subject as a split-level property.

In addition, the appellant included multiple listing service printouts for the appraisal comparables as well as two additional sales comparables. These properties are described as split-level, masonry or frame and masonry, single-family dwellings. These properties ranged in age from 32 to 50 years and in size from 1,807 to 2,995 square feet of living area with one size unknown. They sold from April to October 2011 for prices ranging from $102.67 to $196.46 per square foot of living area. Based upon this evidence, the appellant requests a reduction in the subject's assessment.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's total assessment was $37,764. The subject's assessment reflects a market value of $397,935 using the Illinois Department of Revenue's three-year median level of assessment for class 2, residential property of 9.49% for tax year 2011.

The board of review submitted a motion to dismiss the appellant’s appeal because the appraisal’s valuation date is after the lien date in question, January 1, 2011.

In support of the assessment, the board of review submitted descriptive, assessment, and sales data on four suggested comparables. These properties are described as two-story, masonry, frame or frame and masonry, single-family dwellings with various amenities. The properties range: in age from 19 to 42 years; in size from 2,075 to 3,394 square feet of living area; and in improvement assessments from $13.88 to $16.33 per square foot of living area. They sold from July 2009 to September 2010 for prices ranging from $188.57 to $200.96 per square foot of living area.

In rebuttal, the appellant submitted a letter asserting that the county has incorrectly listed the subject as a two-story property when it is a split-level. He further argued that the error by the county has falsely increased his market value. The appellant submitted a list of sales of properties that are considered split-level to show a difference in market value between a two-story and a split-level property.

As to the board of review’s motion to dismiss, the appellant argues that the board of review also included sales data on properties that sold the years prior to the lien date.

After considering the arguments and reviewing the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

As to the board of review’s motion to dismiss, the Board denies this motion. The Board finds the appellant submitted sufficient evidence to move forward in the appeal and the Board will give the appropriate weight to both parties’ evidence.

When overvaluation is claimed the appellant has the burden of proving the value of the property by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331Ill.App.3d 1038 (3rd Dist. 2002);

Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2nd Dist. 2000). Proof of market value may consist of an appraisal, a recent arm's length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. 86 Ill.Admin.Code 1910.65(c). Having considered the evidence presented, the Board concludes that the appellant has met this burden and that a reduction is warranted.

In determining the fair market value of the subject property, the Board thoroughly considered the parties' evidence and finds the best evidence to be the appellant's appraisal. The Board finds this appraisal to be persuasive for the appraiser inspected the subject property and developed the sales comparison approaches to value in estimating the subject's market value. Moreover, market data was used to obtain improved sale comparables while providing sufficient detail regarding each sale as well as appropriate adjustments, where necessary.

Therefore, the Board finds that the subject property contained a market value of $33,000 for tax year 2011. Since the market value of the subject has been established, the median level of assessment as determined by the Illinois Department of Revenue's 2011 three-year median level of assessments for class 2, residential property of 9.49% will apply.

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: February 21, 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.