



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

APPELLANT: Christopher Weltzer & Meg Kibbee  
DOCKET NO.: 11-23687.001-R-1  
PARCEL NO.: 14-18-416-039-0000

The parties of record before the Property Tax Appeal Board are Christopher Weltzer & Meg Kibbee, the appellants, by attorney David C. Dunkin, of Arnstein & Lehr, LLP in Chicago; and the Cook County Board of Review.

Based on the facts and exhibits presented in this matter, 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:** \$ 11,776  
**IMPR.:** \$ 58,424  
**TOTAL:** \$ 70,200

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 2011 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 9-year old, two-story, masonry, single-family dwelling with 2,365 square feet of living area. Features of the home include: a full basement, central air conditioning, two fireplaces, two decks, and a two-car garage. The total site has a 3,125 square foot site and is located in Lake View Township, Cook County. The subject is classified as a class 2, residential 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 had a market value of \$705,000 as of January 29, 2011. The appraisal stated that a physical inspection had been undertaken and that

the subject property was vacant at the time of purchase. In addition, the appellant's pleadings included evidence that the subject had been purchased on March 18, 2011 for a price of \$702,000. Moreover, the pleadings indicated that the sale was not a transfer between related parties; that the property was advertised for sale on the open market for over 16 months; that the parties used real estate brokers in the transaction; and that the seller's mortgage was not assumed, but that the subject was in pre-foreclosure. In support, the pleadings included copies of the settlement statement, multiple listing service sheet, as well as the Cook County Recorder of Deeds printout of the sales transaction's filing. The appellant requested a 10% level of assessment be applied to a requested market value of \$702,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$89,742. The subject's assessment reflects a market value of \$897,420 when applying the level of assessment for class 2, residential property of 10% as determined by the Cook County Classification Ordinance.

In support of its contention of the correct assessment, the board of review submitted assessment information on two suggested equity properties.

### **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 the best evidence of market value to be the recent sale evidence submitted by the appellant. The Board finds the subject property has a market value of \$702,000 as of the assessment date at issue. Since market value has been established, the level of assessment for class 2, residential property of 10% as determined by the Cook County Classification Ordinance 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.



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Chairman



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Member

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Member



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Member

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Member

DISSENTING: \_\_\_\_\_

**CERTIFICATION**

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 20, 2016



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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.