



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

APPELLANT: Karsten Koehler
DOCKET NO.: 11-23773.001-R-1
PARCEL NO.: 01-12-109-001-0000

The parties of record before the Property Tax Appeal Board are Karsten Koehler, the appellant, by attorney Christopher G. Walsh, Jr. 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: \$12,469
IMPR.: \$49,481
TOTAL: \$61,950

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 two-story dwelling of masonry construction. The dwelling is approximately 24 years old and has 3,447 square feet of living area.¹ Features of the home include a full unfinished basement, central air conditioning, a fireplace and a three-car garage. The property has a 45,345

¹ The parties differed on the subject's living area. The appraiser stated that she had inspected the subject and provided a detailed schematic drawing. The assessing officials provided no support for a stated size of 3,557 square feet. As a result, the appraiser's data is accepted as having better support.

square foot site and is located in Barrington, Barrington Township, Cook County. The property is a class 2-78 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 \$580,000 as of August 10, 2010.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$71,160. The subject's assessment reflects a market value of \$711,600 or \$206.44 per square foot of living area, including land, when applying the 10% level of assessment for class 2 residential properties under the Cook County Real Property Assessment Classification Ordinance. In support of its contention of the correct assessment, the board of review submitted three comparable sales that sold in February or June 2009 for prices that ranged from \$702,542 to \$857,660 or from \$224.60 to \$256.78 per square foot of living area, land included.

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 of review presented sale prices for three comparable sale properties; however, these sales were dated and occurred from 1½ to nearly 2 years prior to the assessment date. In addition, each of these comparables was over 20 years newer than the subject. As a result, the Board gave the board of review's market evidence little weight.

The appellant presented an appraisal report estimating the subject property had a market value of \$580,000 as of August 10, 2010. The appraiser looked at three comparable sales and two active listings to arrive at the conclusion of value. The Board has analyzed the appraisal and gives the market value conclusion

in the appraisal report little weight. The Board finds that two of the appraiser's comparables differed significantly from the subject property. Comparable #2 sold in November 2009 for a price of \$540,000. The appraiser gave this comparable five adjustments. As gross adjustments, they totaled \$174,000 or 32% of the comparable's sale price. Comparable #3 sold in December 2009 for a price of \$800,000. The appraiser gave this comparable seven adjustments. As gross adjustments, they totaled \$286,500 or 36% of the comparable's sale price. The Board finds these adjustments excessive and has instead analyzed the raw sales used in the appraisal.

The Board finds that the best evidence of market value in the record was the appraiser's comparable #1. This property was very similar to the subject in land area, age, design, living area and had a finished basement and a three-car garage like the subject. This property sold in June 2010 for a price of \$670,000 or for \$179.72 per square foot of living area, land included. The subject's assessment reflects a market value that is above the best evidence of market value in the record. The Board finds the subject property had a market value of \$619,500 as of the assessment date at issue. Based on this evidence, the Board finds a reduction in the appellant'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 Albino

Member

[Signature]

Member

Member

Jerry White

Acting 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: July 24, 2015

[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.