



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

APPELLANT: Thomas Michael Osterman
DOCKET NO.: 11-26754.001-R-1
PARCEL NO.: 14-32-110-056-0000

The parties of record before the Property Tax Appeal Board are Thomas Michael Osterman, the appellant, by attorney Christopher G. Walsh, Jr. of 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: \$20,580
IMPR.: \$86,420
TOTAL: \$107,000

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) contesting 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 is improved with a three-story dwelling of masonry construction with 3,646 square feet of living area. The dwelling is approximately 20 years old. Features of the property include a slab foundation, central air conditioning, two fireplaces and a two-car garage. The property has a 2,744 square foot site and is located in Chicago, North Chicago Township, Cook County. The subject is classified as a class 2-

95 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on April 14, 2011 for a price of \$1,070,000 or \$293.47 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's assessment be reduced to \$107,000 to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$110,454. The subject's assessment reflects a market value of \$1,104,540 or \$302.95 per square foot of living area, land included, when using the level of assessments for class 2-95 property of 10% under the Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment the board of review submitted an equity analysis using four comparables, one of which had sold. The comparable that sold was improved with a three-story masonry dwelling on a slab foundation with 3,618 square feet of living area. This property sold in October 2010 for a price of \$975,000 or \$269.49 per square foot of living area, including land.

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 appellant stated on the appeal that the subject property was purchased in April 2011 for a price of \$1,070,000 or \$293.47 per square foot of living area, including land, which is below the market value as reflected by the subject's assessment. The appellant did not fully complete Section IV - Recent Sale Data of the appeal by failing to disclose if or how the property was exposed on the open market and did not disclose how long the property was exposed on the market prior to the purchase, if at

all. The appellant failed to provide a copy of the real estate sales contract; did not provide a copy of the closing statement; and provided no documents, such as the Multiple Listing Service listing sheet, demonstrating the manner in which the property was exposed on the open market. The appellant did indicate the parties to the transaction were not related and also submitted a copy of the PTAX-203 Illinois Real Estate Transfer Declaration that indicated the property was advertised for sale.

The board of review submitted information on four comparables that had varying degrees of similarity to the subject property. The Board gives no weight to the equity analysis presented by the board of review as this did not address the appellant's overvaluation argument. The evidence provided by the board of review did include one comparable sale that was similar to the subject that sold in October 2010 for a price of \$975,000 or \$269.49 per square foot of living area, including land. The subject's assessment reflects a market value of \$302.95 per square foot of living area, including land, which is greater than sale presented by the board of review. This sale also indicates the subject property is overvalued for assessment purposes. Additionally, the Board finds the board of review comparable sale supports the conclusion the subject's purchase price, which reflects a unit value of \$293.47 per square foot of living area, including land, is indicative of fair cash value. Based on 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 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: June 26, 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.