



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

APPELLANT: Brian Murphy
DOCKET NO.: 11-29481.001-R-1
PARCEL NO.: 16-22-206-022-0000

The parties of record before the Property Tax Appeal Board are Brian Murphy, the appellant, by attorney Jason T. Shilson, of O'Keefe Lyons & Hynes, LLC in Chicago; and the Cook County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change 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: \$4,410
IMPR.: \$16,018
TOTAL: \$20,428

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 three-story, multi-family dwelling of masonry construction. The dwelling is approximately seven years old and has 3,769 square feet of living area. Features of the dwelling include three apartment units, a concrete slab foundation and central air conditioning. The property has a 3,150 square foot site and is located in Chicago, West Chicago Township, Cook County. The property is 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 \$131,000 as of January 1, 2011. The appraiser developed the sales comparison approach to value and analyzed three comparable sales to arrive at the estimate of the subject's market value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$20,428. The subject's assessment reflects a market value of \$204,280 or \$54.20 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 information on four comparable sales that sold from June 2008 to December 2011 for prices that ranged from \$200,000 to \$272,000 or from \$48.47 to \$114.67 per square foot of living area, land included. Board of review comparable #2 is the same property as comparable sale #2 in the appraisal report but with a different sale date and price.

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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the best evidence of market value in the record includes two of the comparable sales analyzed in the appellant's appraisal report and two of the comparable sales submitted by the board of review.¹ According to the appraiser, the subject property had a market value of \$131,000 as of January 1, 2011. The appraiser analyzed three comparable sales to arrive at an estimate of the subject's market value. These properties sold from January 15, 2010 to March 19, 2010 for prices that ranged from \$73,000 to \$140,000 or from \$19.70 to \$37.59 per square foot of living area, land included. The comparable sales used in the appraisal report were very similar to the subject in land area, location, story height, living area, age, number of apartment units, and foundation. Since the appraisal report has a valuation date of January 1, 2011, there was no adjustment to these sales that all occurred in early 2010. However, the appraiser made an 82% adjustment (+\$60,000) to comparable sale #1 due to its poor condition. The Board finds this adjustment to be

¹ Board of review comparables #3 and #4 were dated sales that occurred in 2008 and received little weight in the Board's analysis.

substantial and reflective of the fact that comparable sale #1 differed significantly from the subject.

The Board also considered the sale prices of board of review comparables #1 and #2. Comparable #1 sold most proximate to the January 1, 2011 assessment date. This property sold in December 2010 for a price of \$260,000 or \$70.77 per square foot of living area, land included. Comparable #1 had the same assigned neighborhood and classification codes as the subject and was also very similar in land area, story height, living area, age and foundation. The Board also considered the sale price of board of review comparable #2. Board of review comparable #2 is the same property as comparable sale #2 used in the appraisal report. The appraiser stated this comparable sold in January 2010 for a price of \$122,000. The board of review's evidence indicated this property sold again in December 2011 for a price of \$200,000. The Board finds this property's December 2011 sale price suggests either a change in the market since January 2010 or a substantial change in the property.

The Board finds the appellant's comparable sales #2 and #3 and board of review comparables #1 and #2 sold from January 2010 to December 2011 for prices ranging from \$32.45 to \$70.77 per square foot of living area, including land. The subject's assessment reflects a market value of \$54.20 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Therefore, the Board finds a reduction in the subject's assessment is not 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.

Mario Albino

Chairman

K. L. Ferr

Member

JR

Member

Jerry White

Acting Member

Robert Hoffmann

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: April 22, 2016

A. Heston

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.