



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

APPELLANT: William Lymangood  
DOCKET NO.: 11-31131.001-R-1  
PARCEL NO.: 17-07-217-025-0000

The parties of record before the Property Tax Appeal Board are William Lymangood, the appellant(s), by attorney Glenn S. Guttman, of Rieff Schramm Kanter & Guttman 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:** \$7,344  
**IMPR.:** \$51,494  
**TOTAL:** \$58,838

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 2,160 square foot parcel of land improved with a seven-year old, two-story, masonry, owner-occupied, single-family. The property is located in West Chicago Township, Cook County. The property is a class 2-07 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 \$590,000 as of March 8, 2012. The appraisal disclosed that the subject sold in February 2011 for \$620,000 after being listed on the open market for 14 days. The appraiser does not explain if the sale one month after the lien date was not given consideration.

The appraisal undertook only the sales comparison approach to value. Under the sales comparison approach, the appraiser analyzed three comparables that sold between August and November 2011 for prices that ranged from \$220.53 to \$352.42 per square foot of living area. The appraiser also analyzed two active listings. The appraisal lists the subject improvement as containing 2,107 square feet of living area with a building sketch to support this figure.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$62,000. The subject's assessment reflects a market value of \$653,319 using the Illinois Department of Revenue's 2011 three-year median level of assessment for class 2 property of 9.49%.

In support of its contention of the correct assessment the board of review submitted three sales comparables. These properties sold from June 2009 to December 2010 for prices ranging from \$339.25 to \$404.41 per square foot of living area. In addition, the board of review lists the sale of the subject in January 2011 for \$620,000. The county lists the subject improvement as containing 1,837 square feet of living area with no further explanation.

#### **Conclusion of Law**

As to the subject's improvement size, the Board finds the appellant submitted sufficient evidence to show that the county has incorrectly listed the subject's size. Therefore the Board finds the subject improvement contains 2,107 square feet of living area. This reflects a market value based on the assessment of \$310.07 per square foot of living area.

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

The Board thoroughly considered the parties' evidence. The Board gives diminished weight to the appraisal because it lacks data to further explain why the subject's sale was not given any weight in establishing the subject's market value. The Board finds the subject's sale is closer to the lien date than the appraisal's valuation date or any of the comparables used by the appraiser. For these reasons, the Board gives the adjustments and the conclusion of value within the appraisal no weight.

The courts have stated that where there is credible evidence of comparable sales, these sales are to be given significant weight as evidence of market value. Chrysler Corp. v. Illinois Property Tax Appeal Board, 69 Ill.App.3d 207 (2<sup>nd</sup> Dist. 1979); Willow Hill Grain, Inc. v. Property Tax Appeal Board, 187 Ill.App.3d 9 (5<sup>th</sup> Dist. 1989). Therefore, the Board will consider the raw sales data from both parties along with the subject's sale information.

The parties submitted six sale comparables along with the subject's 2011 sale information. The Board finds the appellant's comparables #1 and #2 and the board of review's sale comparable #3 similar to the subject and most probative in determining the subject's market value as of the lien date. These sales occurred from December 2010 to August 2011 for prices ranging from \$220.53 to \$404.41 per square foot of building area. Therefore, the Board finds the subject had a market value of \$620,000 as of January 1, 2010. Since the market value of this parcel has been established, the 2011 Illinois Department of Revenue three-year median level of assessment for Class 2 property of 9.49% will apply and a reduction is warranted.

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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Acting Member



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Member

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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: February 19, 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.