



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

APPELLANT: Mike Chamberlin
DOCKET NO.: 11-32108.001-R-1
PARCEL NO.: 20-10-303-016-0000

The parties of record before the Property Tax Appeal Board are Mike Chamberlin, the appellant, by attorney Herbert Kanter, 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 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: \$5,800
IMPR.: \$18,282
TOTAL: \$24,082

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 111 years old and has 4,811 square feet of living area. Features of the dwelling include a full unfinished basement, three fireplaces and a two-car garage. The property has a 3,625 square foot site and is located in Chicago, Hyde Park Township, Cook County. The subject is classified as a class 2-11 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 limited evidence disclosing the subject property was purchased on January 21, 2010

for a price of \$163,500 or \$33.98 per square foot of living area, land included.¹ Based on this evidence, the appellant requested a reduction in the subject's assessment 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 \$24,082. The subject's assessment reflects a market value of \$253,762 or \$52.75 per square foot of living area, land included, when using the 2011 three year average median level of assessments for class 2 property of 9.49% under the Cook County Real Property Assessment Classification Ordinance as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales. These properties sold in September and October 2010 for prices that ranged from \$300,000 to \$440,000 or from \$63.26 to \$99.62 per square foot of living area, land included. As part of its submission, the board of review also made reference to another sale of the subject property. The subject sold in September 2010 for a price of \$270,000 or for \$56.12 per square foot of living area, land included.

The appellant's attorney submitted a rebuttal brief. Counsel objected to the board of review's comparable sales, because these sales were presented without any adjustments for differences from the subject and two of the comparables were not located near the subject property.

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.

In this appeal, both parties presented evidence of market value. The Board gave little weight to the January 2010 sale of the subject property. The appellant submitted limited evidence regarding the subject's sale and failed to establish if the subject had ever been exposed to the open market. The appellant did not complete Section IV - Recent Sale Data of the appeal and did not answer questions that asked if the property had been advertised on the open market, how was it advertised and for how

¹ In Section IV - Recent Sale Data of the residential appeal form, the appellant stated the subject property was purchased on December 22, 2010. However, the documentary evidence submitted by the appellant revealed the sale date was actually January 21, 2010.

long, and if the property sold in settlement of a foreclosure. To document the transaction, the appellant submitted a copy of the settlement statement and the special warranty deed. The settlement statement reiterated the subject's January 2010 sale price but did not reveal any commission paid to any realty firm.

The Board finds the best evidence of market value in the record was submitted by the board of review. The board of review submitted information on three comparable sales that had the same assigned neighborhood code as the subject and were also similar in story height, construction, age, living area and foundation. Moreover, these properties sold more proximate to the January 1, 2011 assessment date than the January 2010 sale of the subject relied on by the appellant. The board of review comparables sold in September and October 2010 for prices that ranged from \$63.26 to \$99.62 per square foot of living area, land included. These sale prices undermine the appellant's claim that the subject's January 2010 sale price of \$33.98 per square foot of living area, land included, was reflective of market value. The subject's assessment reflects a market value of \$52.75 per square foot of living area, land included, that falls below the range established by the board of review comparables. Furthermore, the Board takes notice that the board of review also presented information on another sale of the subject property in September 2010 for a price of \$56.12 per square foot of living area, land included. The Board finds the September 2010 sale of the subject property to be a more accurate indicator of the subject's market value as of the January 1, 2011 assessment date than the January 2010 sale relied on by the appellant. Based on this evidence, the Board finds a reduction in the subject's assessment is not 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.

Chairman



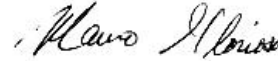
Member



Member



Member



Member



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: March 18, 2016



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.