



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

APPELLANT: Chris-Kare Inc.
DOCKET NO.: 11-32809.001-R-1
PARCEL NO.: 31-03-305-019-0000

The parties of record before the Property Tax Appeal Board are Chris-Kare Inc., the appellant, by attorney Brian S. Maher, of Weis, DuBrock, Doody & Maher 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: \$3,500
IMPR: \$7,154
TOTAL: \$10,654

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 one-story dwelling of frame construction. The dwelling is approximately 52 years old and has 1,430 square feet of living area. Features of the home include a concrete slab foundation and a two-car garage. The property has a 20,000 square foot site and is located in County Club Hills, Rich Township, Cook County. The subject is classified as a class 2-03 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 12, 2009 for a price of \$50,000. The appellant partially completed Section IV - Recent Sale Data of the appeal and disclosed the name of the seller, the parties to the transaction were not

related and the property was sold by a realtor. The appellant did not answer questions that asked if the property had been advertised for sale, how it was advertised and for how long. In a letter submitted with the appellant's evidence, the appellant's attorney stated the subject's sale was an arm's length transaction. To document the transaction, the appellant submitted copies of the sales contract and the settlement statement. The settlement statement disclosed that commissions were paid to two realty firms. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$10,654. The subject's assessment reflects a market value of \$106,540 or \$74.50 per square foot of living area, land included, 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 three comparable sales. These properties sold from April 2009 to April 2010 for prices that ranged from \$103,000 to \$175,000 or from \$79.42 to \$102.88 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 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 considered the January 2009 sale of the subject property relied on by the appellant and three comparable sales submitted by the board of review. The Board gave less weight to the dated sale of the subject property. The subject sold on January 12, 2009, which was nearly two years prior to the January 1, 2011 assessment. Furthermore, 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 Board gave more weight to board of review comparable #3. This property sold more proximate to the assessment date, and it was very similar to the subject in almost every characteristic. Comparable #3 sold in April 2010 for a price of \$79.42 per square foot of living area, including land. The subject's assessment reflects a market value of \$74.50 per square foot of living area, including land, which is below the market value of the best comparable sale in this record. Based on this record, 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.

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.