



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

APPELLANT: John O'Hara
DOCKET NO.: 12-20077.001-R-1
PARCEL NO.: 15-01-205-051-0000

The parties of record before the Property Tax Appeal Board are John O'Hara, the appellant, by attorney Michael R. Davies, of the Law Offices of Michael R. Davies, Ltd. in Oak Lawn; 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: \$ 11,900
IMPR.: \$ 111,198
TOTAL: \$ 123,098

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 2012 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 56-year old, three-story, multi-unit, masonry dwelling containing 11,078 square feet of building area. It contains eight bedrooms, eight full

and three half-baths, a balcony, an elevator, and a four-car garage.¹ The property has an 11,900 square foot site and is located in River Forest, River Forest 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 \$650,000, or \$58.67 per square foot, including land, as of January 1, 2011. The four suggested comparables sold from March 2010 through May 2010 for prices ranging from \$525,000 to \$595,000, or \$130.14 to \$180.29 per square foot, including land. All of the comparables are located in Oak Park while the subject is located in River Forest. They vary greatly in square footage of living area from the subject as they contain between 2,912 and 4,572 square feet of living area. After making large gross adjustments, the appraiser valued the comparables between \$150.39 and \$218.04 per square foot, including land. The appraiser stated on page one of the appraisal addendum that: no value was given for the elevator; no sales were found in River Forest, therefore, Oak Park was a comparables substitute; the subject suffered from deferred maintenance and super adequacies; and he considered the first floor of the subject more like a finished basement. The appraiser valued the subject at \$58.67 per square foot, including land, well below the range for either the adjusted and unadjusted comparables contained in the appraisal. Based on this evidence, the appellant request a reduction in 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 \$123,098. The subject's assessment reflects a market value of \$1,270,361 or \$114.67 per square foot of living area, including land, when applying the 2012 three year median level of assessment of 9.69% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted four equity comparables, each containing sales data. The properties sold from March 2009 through November 2011 for prices ranging from \$358,000 to \$595,000, or from \$123.53 to \$184.63 per square foot, including land. The comparables are located in Oak Park and contain between 2,898

¹ The property characteristics were taken from the appellant's appraisal as it was inspected by the appraiser. The characteristics vary slightly from the board of review's description.

and 4,572 square feet of living area. It should be noted that the board of review's comparable #2 is identical to the appellant's comparable #4. Additionally, the board of review's comparable #3 is identical to the appellant's comparable #3.

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

The Board does not find the appraisal conclusion submitted by the appellant to be persuasive as the appraiser valued the subject property well below his adjusted comparables. His comparables range from \$150.39 to \$218.04 per square foot, including land. The subject has a current market value of \$114.67 per square foot while the appraiser suggested a market value of \$58.67 per square foot, including land. As both parties' comparables were located in Oak Park and ranged in similar size of living area to each other, the Board will review the eight unadjusted comparables submitted by the parties.

The Board finds that the appellant's comparables #2, #3 and #4, as well as the board of review's comparables #2 and #3, are most similar to the subject in use, location, design, and square footage of building area. These unadjusted sale comparables range in sale price from \$130.14 to \$171.19 per square foot, including land. The subject's assessment reflects a market value of \$114.67 per square foot of living area, including land, which is below the range of the best comparables. After considering adjustments for the similarities and the differences in the comparables as compared to the subject, the Board finds the subject's per square foot assessment is supported and 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



Acting 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: February 19, 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.