



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

APPELLANT: Sara Diggs
DOCKET NO.: 12-20379.001-R-1
PARCEL NO.: 10-13-317-009-0000

The parties of record before the Property Tax Appeal Board are Sara Diggs, the appellant(s); 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: \$ 4,687
IMPR.: \$ 21,784
TOTAL: \$ 26,471

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 (the "Board") finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject consists of a two-story multi-family rental dwelling of frame construction with 2,386 square feet of living area. The dwelling is 132 years old. Features of the home include a full unfinished basement, a patio and a two-car garage. The property has a 6,048 square foot site, and is located in Evanston, Evanston Township, Cook County. The subject is classified as 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 \$95,000 as of January 1, 2012.

Under the income approach, the appraiser valued the subject property at \$92,000 after using a gross rent multiplier analysis.

Under the sales comparison approach, the appraiser analyzed three suggested comparable properties. The properties ranged: in square footage of living area from 1,848 to 2,600 square feet; in age from 21 to 97 years; and in unadjusted price per square foot from \$39.39 to \$43.83 per square foot, including land. All three sales were purchased for cash while comparable #3 was identified as a foreclosure sale. The appraiser failed to make adjustments for conditions of sale and failed to disclose the sale dates of the suggested comparables. The appraiser valued the subject under the sales comparison approach at \$95,000.

The board of review submitted its "Board of Review-Notes on Appeal" disclosing the total assessment for the subject of \$26,471. The subject's assessment reflects a market value of \$273,179, or \$114.49 per square foot of living area, including land, when applying the 2012 three year average median level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance 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 information on four equity comparables. The board of review also submitted information on four comparable sales. The sales comparables, which were all located in Evanston, ranged: in square footage of living area from 1,705 to 2,635 square feet; in age from 84 to 112 years; in sale date from May 2009 to December 2009; and in unadjusted price per square foot from \$59.02 to \$168.64 per square foot, including land.

In rebuttal, the appellant argued that: the board of review's sale comparables were from 2009; the comparables are younger in age and have central air; and the board of review's comparables are structurally superior to the subject.

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 does not find the appraisal conclusion submitted by the appellant to be persuasive as the appraiser failed to make any adjustments for conditions of sale. Additionally, the appraiser failed to disclose the sale dates of the suggested comparables. Accordingly, the Board finds the best comparables in the record

to be those submitted by the board of review. These comparables were similar in location, age and size to the subject and sold within three years of the valuation date.

The board of review's unadjusted sales comparables ranged in sale price from \$59.02 to \$168.64 per square foot, including land. The subject's assessment reflects a market value of \$114.49 per square foot of living area, including land, which is within the range of the best comparables. After considering adjustments and the differences in the comparables when 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.

Accordingly, in determining the fair market value of the subject property, the Board finds that the appellant failed to submit sufficient evidence to show the subject was overvalued. Therefore, the Board finds that the appellant has not met its burden by a preponderance of the evidence and that the subject does not warrant a reduction based upon the market data submitted into evidence.

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.

Donald R. Cuit

Chairman

K. L. Fern

Member

Tracy A. Huff

Member

Marko M. Louis

Member

J. R.

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 20, 2015

A. Proctor

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.