



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

APPELLANT: John Costello
DOCKET NO.: 12-24162.001-R-1
PARCEL NO.: 02-10-228-069-0000

The parties of record before the Property Tax Appeal Board are John Costello, the appellant, by attorney Robert J. Paul, Attorney at Law in Chicago; and the Cook County Board of Review.

Based on the facts and exhibits presented in this matter, 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: \$ 1,797
IMPR.: \$19,203
TOTAL: \$21,000

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 consists of an approximately 17-year old, two-story, frame and masonry, single-family dwelling. Features of the home include: a full basement, one fireplace and a one-car garage. The property has a 1,530 square foot site and is located in Palatine Township, Cook County. The subject is classified as a class 2, residential 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's pleadings reflected that the subject recently sold. The pleadings indicated: that the subject sold on either January 4, 2011 or February 16, 2011 for a price of \$209,000; that the parties were unrelated; and that the subject was advertised for sale on the open market for 13

months. In support, the appellant submitted a copy of a settlement statement which was unassigned by the parties.

Further on this issue, the appellant submitted an appraisal estimating that the subject property had a market value of \$210,000 as of August 7, 2010. The appraisal developed two of the three traditional approaches to value: the sales comparison and the cost approaches to value. In addition, the appraisal indicated that the subject property was vacant with an interior and exterior inspection including the submission of multiple photographs as well as a building schematic. The building schematic indicated that the subject's improvement contained 1,356 square feet of living area. The appellant requested a total assessment of \$20,900.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$23,976. The subject's assessment reflects a market value of \$239,760 including land, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%. The board's analysis reflects that the subject's improvement contained 1,262 square feet of living area as well as reflecting the subject's sale in December, 2010 for a price of \$209,000.

In support of its contention of the correct assessment, the board of review submitted descriptive, and assessment information on four suggested comparables as well as limited, unadjusted sales data for each property.

Moreover, the board of review submitted a brief as well as printouts from the Cook County Recorder of Deeds website indicating the subject's sales history, while asserting that the subject's sale was a foreclosure sale not reflective of market value.

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 *met* this burden of proof and a reduction in the subject's assessment *is* warranted.

The Board finds the best evidence of improvement size and market value to be the *appraisal submitted by the appellant*. The Board finds the subject property had a market value of \$210,000 as of the assessment date at issue. Since market value has been established the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10% shall apply. (86 Ill.Admin.Code §1910.50(c)(2)).

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

DISSENTING: _____

CERTIFICATION

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: _____

April 21, 2017



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.