



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

APPELLANT: Steven Huy
DOCKET NO.: 12-28619.001-R-1
PARCEL NO.: 10-21-206-042-0000

The parties of record before the Property Tax Appeal Board are Steven Huy, the appellant, by attorney Brian P. Liston of the Law Offices of Liston & Tsantilis, P.C. 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: \$3,595
IMPR.: \$31,063
TOTAL: \$34,658

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 a three-story, multi-family dwelling of masonry construction. The dwelling is an apartment building that is approximately 38 years old and has 4,683 square feet of living area. Features of the building include two apartment units, a concrete slab foundation, central air conditioning and a two-car garage. The property has a 4,794 square foot site and is located in Skokie, Niles 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 information on three comparable sales that sold from November 2009 to October 2012 for prices that ranged from \$290,000 to \$340,000 or from \$67.13 to \$80.61 per square foot of living area, land included.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$43,401. The subject's assessment reflects a market value of \$434,010 or \$92.68 per square foot of living area, including land, 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 four comparable sales that sold from March to December 2010 for prices that ranged from \$335,000 to \$467,500 or from \$93.53 to \$115.30 per square foot of living area, land included. The board of review also submitted information on four equity comparables.

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 parties submitted information on a total of seven comparable sales. The board of review of review also submitted information on four equity comparables. The Board gave the board of review's equity evidence no weight as it was not responsive to the appellant's overvaluation argument. The Board finds the board of review's comparable sales were older dwellings than the subject and also differed in story height and foundation. Additionally, comparable sales #3 and #4 had significantly less living area than the subject. As a result, the board of review's comparable sales received reduced weight in the Board's analysis. The appellant's comparable #1 also received reduced weight. This comparable sold in November 2009, which was over two years prior to the assessment date at issue.

The Board finds the best evidence of market value to be the appellant's comparable #2. The Board finds comparable #2's sale date of October 2012 was most proximate to the assessment date. Comparable #2 was also very similar to the subject in location, story height, exterior construction, age, living area and features like a concrete slab foundation and central air conditioning. As further support, the Board finds the appellant's comparable #3 was most similar to the subject in living area and was also very similar in location, story height, exterior construction and features like a concrete slab foundation and central air conditioning. Comparables #2 and #3 sold in October 2012 and October 2010 for prices of \$67.13 and \$74.28 per square foot of living area, land included, respectively. The subject's assessment reflects a market value of \$92.68 per square foot of living area, land included, which is greater than the market value of the best comparable sales in this record. Based on this evidence, the Board finds a reduction in the subject's assessment commensurate with the appellant's request seems 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

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: June 24, 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.