



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

APPELLANT: Karen Hodgson
DOCKET NO.: 12-30782.001-R-1
PARCEL NO.: 13-26-116-067-0000

The parties of record before the Property Tax Appeal Board are Karen Hodgson, the appellant, by attorney Nicholas T. McIntyre, of Worsek & Vihon 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 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: \$4,866
IMPR.: \$25,600
TOTAL: \$30,466

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 2 improvements. Improvement #1 is a two-story multi-family dwelling of frame construction with 1,600 square feet of living area. The dwelling is 109 years old and has a full unfinished basement. Improvement #2 is a two-story dwelling of masonry construction with 1,600 square feet of living area. The dwelling is 118 years old and has a full unfinished basement. The property has a 4,055 square foot site and is located in Chicago, Jefferson Township, Cook County. Both of the improvements are classified as a class 2-11 apartment buildings 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 evidence disclosing the subject property was purchased on November 16, 2011 for a price of \$100,000. The appellant's evidence in support of the subject's sale included a Multiple

Listing Service (MLS) sheet and the Settlement Statement. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$30,466. The subject's assessment reflects a market value of \$304,660 or \$95.21 per square foot of living area, land included, when using the level of assessments for class 2 property of 10% 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 for each of the subject's improvements. The board of review's evidence included a brief, a Lis Pendens Notice, a Warranty Deed and a PTAX-203 Illinois Real Estate Transfer Declaration.

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 finds the best evidence of market value in the record for improvement #1 to be the board of review's comparable sales #2 and #3, which were contained in the grid for improvement #1. These comparables were similar to the subject in location, construction, age and features. These properties also sold proximate in time to the assessment date at issue. The comparables sold for prices of \$325,000 and \$220,000 or \$207.80 and \$113.64 per square foot of living area including land, respectively. The subject's assessment for improvement #1 reflects a market value of \$152,330 or \$95.21 per square foot of living area, including land¹, which is below the market values of the best comparable sales in this record. The Board gave less weight to the board of review's remaining comparables in the grid for improvement #1. Comparable #1 is significantly larger than the subject and comparable #4's sale occurred greater than 20 months prior to the assessment date at issue.

The Board finds the best evidence of market value in the record for improvement #2 to be the board of review's comparable sale #2, which was contained in the grid for improvement #2. This comparable was similar to the subject in location, size, age and features. This property also sold proximate in time to the assessment date at issue. The comparable sold for a price of \$325,000 or \$207.80 per square foot of living area, including land. The subject's assessment for improvement #2 reflects a market value of \$152,330 or \$95.21 per square foot of living area, including land², which is below the market value of the best comparable sale in this record. The Board gave less weight to the board of review's remaining comparables in the grid for

¹ The subject's land assessment was split evenly between the two improvements for analysis purposes.

² The subject's land assessment was split evenly between the two improvements for analysis purposes.

improvement #2. Comparable #1 is significantly larger than the subject and comparables #3 and #4 had sale dates occurring greater than 20 months prior to the assessment date at issue.

The Board gave little weight to the subject's sale due to the conflicting evidence regarding the arm's-length nature of the sales transaction. The appellant completed Section IV - Recent Sale Data of the appeal and indicated the subject property was advertised for sale. However, the board of review submitted a copy of the PTAX-203 Illinois Real Estate Transfer Declaration regarding the subject's sale, which was marked "No" to the question that asked if the property was advertised for sale. The board of review's brief acknowledged that, based on this evidence, the subject's sale was not an arm's-length transaction. The appellant did not refute this contention. Based on this record the Board finds the subject's assessment is reflective of market value and 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



Acting 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: December 23, 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.