



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

APPELLANT: Nosson Factor
DOCKET NO.: 12-32230.001-R-1
PARCEL NO.: 13-02-208-046-0000

The parties of record before the Property Tax Appeal Board are Nosson Factor, the appellant, by attorney Arnold G. Siegel, of Siegel & Callahan, 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: \$6,138
IMPR.: \$20,362
TOTAL: \$26,500

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 two-story dwelling of masonry exterior construction with 2,336 square feet of living area.¹ The dwelling is approximately 63 years old. Features of the building include a partial finished basement, central air conditioning, two fireplaces and a one-car garage. The property has a 5,580 square foot site and is located in Chicago, Jefferson Township, Cook County. The subject is classified as a class 2-78 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 report. The appraisal estimates the subject property has a

¹ As an initial matter the parties report differences regarding the size of the subject, the amount of basement finish and the age, the Board finds the best evidence is contained within the appellant's July 2012 appraisal which indicated the appraiser inspected the subject property for the report.

market value of \$280,000 as of July 12, 2012. The appellant also provided evidence that the subject property sold on August 8, 2012, for a price of \$250,000. To document the sale the appellant submitted a copy of the settlement statement, a copy of the warranty deed and a copy of the sales contract. The appeal petition did not identify the seller, if the sale involved family or related parties; or if the property was advertised, and if so, how long of a period. 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 \$35,922. The subject's assessment reflects a market value of \$359,220 or \$153.78 per square foot of living area, including land, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%.

In support of its contention the board of review submitted four comparables with the same neighborhood assessment code as the subject property. The comparables consists of two-story dwellings of frame or masonry exterior construction that are 56 or 59 years old. The comparables had features with varying degrees of similarity when compared to the subject. The dwellings range in size from 2,184 to 2,579 square feet of living area and are situated on lots that contain 4,092 or 4,125 square feet of land area. The comparables sold from February 2010 to December 2011, for prices ranging from \$370,000 to \$505,000 or from \$143.47 to \$227.38 per square foot of living area including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

The appellant submitted a rebuttal brief critiquing the board of review's submission and requesting the appeal be written on the evidence in the record.

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 gave less weight to the board of review's comparables #1, #3 and #4 due to their older sale date. The Board also gave less weight to the remaining comparable submitted by the board of review due to the fact that one unadjusted comparable does not overcome the appellant's appraisal comparable sales that were adjusted by the appellant's appraiser for differences from the subject. The Board gave some weight to the appellant's appraisal and to the subject's sale price. Based on this record the Board finds a reduction in the subject's assessment is 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.