



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

APPELLANT: James Hart
DOCKET NO.: 12-32758.001-R-1
PARCEL NO.: 10-31-307-017-0000

The parties of record before the Property Tax Appeal Board are James Hart, the appellant; and the Cook County Board of Review.

Based on the facts and exhibits presented, 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: \$ 9,660
IMPR.: \$ 5,360
TOTAL: \$15,020

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 is a 96 year-old, one-story dwelling of frame construction. Features of the home include a full unfinished basement and a two-car garage. The property has a 8,050 square foot site and is located in Jefferson Township, Cook County. The property is a class 2-02 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 \$155,000 as of January 1, 2013.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$28,157. The subject's assessment reflects a market value of \$290,578, or \$363.68 per square foot of living area including land, when applying the 2012 three-year average median level of assessment of 9.69% for class 2 property as determined by the Illinois Department of Revenue (86 Ill.Admin.Code §1910.50(c)(2)).

In support of its contention of the correct assessment, the board of review submitted information on four unadjusted suggested sale comparables.

In rebuttal, the appellant submitted a brief arguing that the four comparables submitted by the board of review were dissimilar to the subject. The appellant attached photographs of each of the board of review's four comparables in support of its argument.

At hearing, the Board found Ronalde Johnson to be an expert in the theory and practice of residential real estate appraisal. Johnson testified that the appellant hired him to appraise the subject in May 2013. He testified that the subject was located on a busy street and, as a result, was externally obsolescent. He also testified that since the subject had only 876 square feet of living area and had only a half-bathroom on the first floor with the only full bathroom in the dwelling in the basement, the subject was functionally obsolescent. He based his appraisal on three recent sale comparables. He was able to find only one recent sale of a similar dwelling on the same busy street. The other two recent sale comparables were within less than one mile of the subject. Due to the small size of the subject, its poor location and undesirable amenities, Johnson had to apply high adjustments to his three sale comparables. Although the three comparables were much newer than the subject, Johnson did not adjust for age because he considered effective age to be more relevant to the market valuation. Johnson opined that the subject had a market value of \$155,000 as of the effective date of January 1, 2013.

The board of review representative testified at hearing that the four sale comparables submitted by the board of review were similar to the subject in location, sale date, size and amenities.

In rebuttal at hearing, the appellant testified that the comparables submitted by the board of review were dissimilar to the subject in various key characteristics, especially in dwelling size and location. The appellant referred to the photographs in his rebuttal brief in support of his argument that those comparables were much larger than his one-story dwelling and were newly renovated.

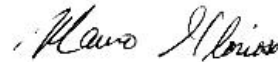
Conclusion of Law

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 market value to be the appraisal submitted by the appellant. The Board finds the subject property had a market value of \$155,000 as of the assessment date at issue. Since market value has been established, the 2012 average three-year median level of assessment of 9.69% for class 2 property as determined by the Illinois Department of Revenue 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



Member

Acting Member



Acting 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: November 20, 2015



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.