



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

APPELLANT: Lou Davis  
DOCKET NO.: 12-33137.001-R-1  
PARCEL NO.: 25-16-415-009-0000

The parties of record before the Property Tax Appeal Board are Lou Davis, the appellant(s); 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:** \$1,395  
**IMPR.:** \$59  
**TOTAL:** \$1,454

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 3,100 square foot parcel of land improved with a 55-year old, one-story, frame, single-family dwelling containing 950 square feet of living area. The property is located in Lake 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 copies of the settlement statement and multiple listing service advertisements disclosing that the subject was purchased in October 2010 for \$15,000 or \$15.79 per square foot of living area.

In addition, the appellant submitted a market analysis summary that he prepared listing the sale of six properties. These properties are described as one or one and one-half story, masonry, single-family dwellings containing between 892 and 1,200 square feet of living area. They sold between January and December 2011 for prices ranging from \$9.19 to \$22.42 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's total assessment of \$6,421 was disclosed. The subject's final assessment reflects a fair market value of \$66,264 or \$69.75 per square foot of living area using the Illinois Department of Revenue's 2012 three year median level of assessment for class 2 property of 9.69%.

In support of the subject's assessment, the board of review submitted descriptions and sales and assessment information on four properties. These properties are described as one or one and one-half story, masonry, single-family dwellings containing between 849 and 988 square feet of living area. They sold from August 2009 to June 2011 for prices ranging from \$75.91 to \$166.90 per square foot of living area.

In addition, the board of review submitted copies of a recorder of deed's printout and notice from court for the subject showing a *lis pendens* in 2007 prior to the sale of the subject. The board of review also included a printout of the Real Property Transfer Tax Declaration referencing the sale in 2009. As a result of this analysis, the board requested confirmation of the subject's assessment.

In rebuttal, the appellant submitted a letter asserting that three of the board of review's comparables are located in a superior neighborhood and that the sale to him was not in lieu of foreclosure, but an arms length transaction after the subject was advertised for sale.

#### **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 purchase of the subject property in October 2010 for a price of \$15,000. The appellant provided evidence demonstrating the sale

was not between related parties and that it was an arm's length sale. Based on this record the Board finds the subject property had a market value of \$15,000 as of January 1, 2012. Therefore, the Board finds the subject overvalued and a reduction to that requested by the appellant is warranted.

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.

*Donald R. Cuit*

Chairman

*K. L. Fern*

Member

*Tracy A. Huff*

Member

*Marko M. Louie*

Member

*J. R.*

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: February 20, 2015

*A. P. ...*

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.