



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

APPELLANT: Rebecca Wolf
DOCKET NO.: 12-33730.001-R-1
PARCEL NO.: 10-14-323-032-0000

The parties of record before the Property Tax Appeal Board are Rebecca Wolf, the appellant, by attorney Mary Anne Phelan of Much Shelist 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: \$7,103
IMPR.: \$21,967
TOTAL: \$29,070

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 frame and masonry construction. The dwelling is approximately 50 years old and has 2,412 square feet of living area. Features of the home include a partial unfinished basement, central air conditioning a fireplace and a two-car carport. The property has an 8,610 square foot site and is located in Skokie, Niles Township, Cook County. The subject is classified as a class 2-78 property 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 July 9, 2012 for a price of \$250,000. The appellant completed Section IV – Recent Sale Data of the appeal form. The appellant stated the seller was the estate of Alfred Henry and the subject's sale was a transfer between family members ("Sold to Granddaughter"). The appellant also stated the property was advertised for sale in the local newspaper. To document the sale, the appellant submitted a

printout of the warranty deed from the Cook County Recorder of Deeds' website. The appellant also submitted an appraisal report estimating the subject property had a market value of \$300,000 as of November 3, 2011. The appraiser developed the sales comparison approach to value and analyzed four comparable sales to arrive at the estimate of the subject's market value. The comparables sold from April to August 2011 for prices that ranged from \$266,000 to \$390,000 or from \$110.83 to \$162.50 per square foot of living area. The appraiser stated comparable #1 was in superior condition to the subject and, as a result, the appraiser gave more consideration to comparables #2 through #4 to arrive at his estimate of the subject's market value of \$300,000. 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 \$39,000. The subject's assessment reflects a market value of \$402,477 or \$166.86 per square foot of living area, land included, when using the 2012 three year average median level of assessments for class 2 property of 9.69% under the Cook County Real Property Assessment Classification Ordinance as determined by the Illinois Department of Revenue. In support of its contention of the correct assessment, the board of review submitted information on four comparable sales that sold from October 2009 to September 2010 for prices that ranged from \$455,000 to \$650,000 or from \$230.31 to \$313.15 per square foot of living area, land included.

The appellant's attorney submitted a rebuttal brief, wherein counsel stated three of the board of review comparables were superior to the subject property and another comparable was located in a different neighborhood.

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 gives no weight to the subject's recent sale. In Section IV – Recent Sale Data, the appellant disclosed the subject's sale was between family members. As a result, the Board finds the subject's sale was not an arm's length transaction. The Board finds the best evidence of market value to be the appraisal report submitted by the appellant. The Board finds the appraiser made logical adjustments to arrive at a final conclusion of value. The board of review submitted four comparable sales but made no adjustments to the sale prices of their comparables. Moreover, the board of review comparables' sale dates were not proximate to the assessment date. As a result, the board of review's market evidence received little weight. The subject's assessment reflects a market value above the best evidence of market value in the record. The Board finds the subject property had a market value of \$300,000 as of the assessment date at issue. Based on this evidence, 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

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: May 20, 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.